

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2663 Disciplinary Docket No. 3
: :
Petitioner : No. 114 DB 2011
: :
v. : Attorney Registration No. 46569
: :
ROBERT CHARLES CORDARO, : (Lackawanna County)
: :
Respondent :

ORDER

PER CURIAM

AND NOW, this 1st day of November, 2019, upon consideration of the Verified Statement of Resignation, Robert Charles Cordaro is disbarred on consent from the Bar of this Commonwealth. See Pa.R.D.E. 215. He shall comply with the provisions of Pa.R.D.E. 217, and pay costs to the Disciplinary Board pursuant to Pa.R.D.E. 208(g).

A True Copy Patricia Nicola
As Of 11/01/2019

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF
THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	
Petitioner	:	No. C3-11-469
	:	
v.	:	
	:	Atty. Reg. No. 46569
ROBERT CHARLES CORDARO,	:	
Respondent	:	(Lackawanna)

RESIGNATION
UNDER Pa.R.D.E. 215

AND NOW, comes Robert Charles Cordaro, Esquire, who hereby tenders his unconditional resignation from the practice of law in the Commonwealth of Pennsylvania in conformity with Pa.R.D.E. 215 ("Enforcement Rules"), and further states as follows:

1. Respondent was admitted to the bar of the Commonwealth of Pennsylvania on November 12, 1986, and was temporarily suspended by Supreme Court of Pennsylvania Order on March 1, 2012. His attorney registration number is 46569.
2. Respondent desires to submit his resignation as a member of said bar.
3. Respondent's resignation is freely and voluntarily rendered; he is not being subjected to coercion or duress; and he is fully aware of the implications of submitting this resignation.
4. Respondent acknowledges that he is fully aware of his right to consult and employ counsel to represent him in this proceeding. He has not consulted with counsel in connection with his decision to execute this resignation.
5. Respondent is aware that there is presently pending an investigation into allegations that he has been guilty of misconduct, the nature of which allegations are contained in an Indictment filed in *United States of America v. Robert C. Cordaro*, Crim. No. 3:10-cr-00075 (Middle District

FILED

OCT 16 2019

The Disciplinary Board of the
Supreme Court of Pennsylvania

of Pennsylvania), and an Amended Judgment in a Criminal Case, true and correct copies of which are appended hereto as Exhibit A.

6. ~~Respondent acknowledges that the material facts upon which the matters contained in Exhibit A are based are true, that is: that he~~ ^{RESPONDENT} was tried before a jury sitting in the Middle District of Pennsylvania and found guilty of conspiracy to commit bribery, bribery, conspiracy to commit extortion under color of right, extortion under color of right, filing false tax returns, income tax evasion, conspiracy to commit money laundering, money laundering, conspiracy to commit racketeering, racketeering, and conspiracy to defraud the United States. While Respondent maintains his innocence of the foregoing charges, he acknowledges the conviction and sentence, and he acknowledges that the conviction has been affirmed on direct appeal and that his motion for collateral relief has been denied.

7. Respondent submits the within resignation because ~~he knows that he could not successfully defend himself against charges of professional misconduct, in that~~ ^{he} he was convicted of ^{VARIOUS} ~~the crimes set forth in Exhibit A~~ in violation of the Rules of Professional Conduct, Rule 8.4(b), and the Rules of Disciplinary Enforcement, Rule 203(b)(1).

8. Respondent is fully aware that the submission of this Resignation Statement is irrevocable and that he can only apply for reinstatement to the practice of law pursuant to the provisions of the Rules of Disciplinary Enforcement, Rule 218(b) and (c).

9. Respondent is aware that, pursuant to Rule 215(c) of the Rules of Disciplinary Enforcement, that fact that he has tendered his resignation shall become a matter of public record immediately upon delivery of the resignation statement to Disciplinary Counsel or the Secretary of the Board.

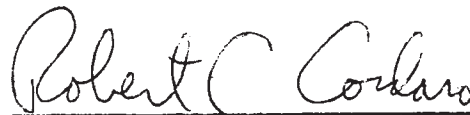
10. Respondent is aware that, upon entry of the order disbaring him on consent, he must promptly comply with the notice, withdrawal, resignation, trust accounting, and cease-and-desist provisions of subdivisions (a), (b), (c), and (d) of Rule 217 of the Rules of Disciplinary Enforcement.

11. Respondent is aware that, after the entry of the order disbaring him on consent, he must file a verified statement of compliance as required by Rule 217(e)(1) of the Rules of Disciplinary Enforcement. *A DRAFT OF SUCH A STATEMENT WILL BE PROVIDED TO RESPONDENT.*

12. Respondent is aware that the waiting period for eligibility to apply for reinstatement to the practice of law under Rule 218(b) of the Rules of Disciplinary Enforcement shall not begin until he files the verified statement of compliance required by Rule 217(e)(1) and, if the order of disbarment contains a provision that makes the disbarment retroactive to an earlier date, then the waiting period will be deemed to have begun on the earlier date.

I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Signed this 4 th day of October, 2018.



Robert C. Cordaro

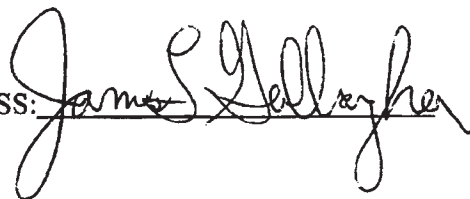
WITNESS: 

EXHIBIT A

LNG:gpw

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES of AMERICA : CRIMINAL NO. 3:CR-10-75

vs :

ROBERT C. CORDARO : (CAPUTO, J.)
a/k/a BOBBY CORDARO and :
ANTHONY J. MUNCHAK :
a/k/a A.J. MUNCHAK, :
Defendants :

FILED
SCRANTON
MAR 29 2011
PER [Signature]
DEPUTY CLERK

SECOND SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

COUNTS 1 through 8

HONEST SERVICES MAIL FRAUD AND MAIL FRAUD

At all times material to this Indictment:

1. Defendants Robert C. Cordaro (CORDARO) and Anthony J. Munchak (MUNCHAK) were the elected Majority Commissioners for Lackawanna County, Pennsylvania, and, by virtue of their majority vote, had the authority to enter contracts and other agreements on behalf of Lackawanna County and, as public officials, were required to conduct themselves in accordance with the Pennsylvania Public Official and Employee Ethics Act. See 65 Pa C.S.A. § 1101, *et seq.*

2. Lackawanna County and its citizens had a right to the honest services of



their public officials in the operation of County government. As public officials, Defendants CORDARO and MUNCHAK each owed the County and its citizens, under the Lackawanna County Home Rule Charter, the administrative code, and Pennsylvania and common law, a fiduciary duty to (a) refrain from the use of public office for private gain; (b) disclose conflicts of interests and other material information in matters over which they had authority and discretion that resulted in their direct or indirect personal gain; (c) refrain from holding financial interests that conflicted with the conscientious performance of their duties, or recuse themselves from matters in which their financial interests may be affected; (d) refrain from soliciting or accepting any item of monetary value, including gifts, cash, political contributions, rewards and loans, with the intent to be influenced, from any person seeking official action from, doing business with or whose interests may be affected by the performance or non-performance of their duties; (e) act impartially and not give preferential treatment to any private individual seeking to conduct or conducting business with the County; (f) disclose waste, fraud, abuse and corruption to appropriate authorities; and, (g) abide by and uphold the laws of the Commonwealth of Pennsylvania.

3. As Lackawanna County Commissioners, the Defendants held a public trust and “any effort to realize personal financial gain through public office other than

compensation provided by law is a violation of that trust.” See 65 Pa. C.S.A. § 1101.1(a).

4. As public officials of the Commonwealth of Pennsylvania, Defendants CORDARO and MUNCHAK were each required to file a statement of financial interests for the preceding calendar year with Lackawanna County by no later than May 1 of the following calendar year for each year that he was a Lackawanna County Commissioner and, if a candidate, by no later than the last day for filing a petition to appear on the ballot for the election as a candidate for public office. See 65 Pa. C.S.A. §1104(a), (b).

5. Pennsylvania law prohibits any public official, public employee or nominee or candidate for public office from soliciting or accepting “anything of monetary value, including a gift, loan, political contribution, reward or promise of future employment, based on any understanding of that public official, public employee, or nominee that the vote, official action or judgment of the public official or public employee or nominee or candidate for public office would be influenced thereby.” See 65 Pa. C.S.A. §§ 1103(c) and 1109(a). “Any public official or public employee who in the discharge of his official duties would be required to vote on a matter that would result in a conflict of interest shall abstain from voting and, prior to the vote being taken, publicly announce and disclose the nature of his interest as a public

record in a written memorandum . . .” See 65 Pa. C.S.A. § 1103(j).

6. “Friends of Munchak and Cordaro” was the campaign committee for the election and re-election of the Defendants. Receipt of cash campaign contributions is prohibited under state law. All campaign contributions were required to be accounted for and reported on the applicable campaign finance report.

7. In violation of their duties, the Defendants’ actions as elected Lackawanna County Commissioners were unlawfully influenced by bribes and kickbacks they received from individuals and entities known and unknown to the grand jury.

8. It was part of the scheme to defraud that Defendants CORDARO and MUNCHAK solicited and accepted bribes and kickbacks from individuals and entities seeking official action from, doing business with or whose interests may be affected by the performance or non-performance of the Defendants’ duties.

9. On or about the following dates, in the Middle District of Pennsylvania and elsewhere, the Defendants

**ROBERT C. CORDARO and
ANTHONY J. MUNCHAK,**

being aided and abetted by each other as well as others known and unknown to the grand jury, having devised a scheme to defraud Lackawanna County and its citizens of their right to money, property and honest services in the affairs of Lackawanna

County and to defraud The Friends of Munchak and Cordaro campaign committee of money and property by means of false and fraudulent pretenses, representations and promises, for the purpose of executing the scheme to defraud and attempting to do so, on or about the following dates knowingly caused to be delivered by the United States mail or by a commercial interstate carrier, according to directions thereon, the items listed below, each use of the United States mail or a commercial interstate carrier being a separate count:

COUNT	DATE	DESCRIPTION
1	9/16/05	Invoice from Company #3 to the County of Lackawanna Transit System (COLTS)
2	9/23/05	Invoice from Company #3 to COLTS
3	10/21/05	Invoices from Company #3 to COLTS
4	9/21/05	Check mailed from the County of Lackawanna Transit System Authority (COLTS) to Company #3
5	10/12/05	Check mailed from COLTS to Company #3
6	11/16/05	Check mailed from COLTS to Company #3
7	2/28/06	Invitation to attend cocktail party on behalf of Friends of Munchak and Cordaro
8	12/5/06	Invitation to attend cocktail party on behalf of Friends of Munchak and Cordaro

All in violation of Title 18, United States Code, Sections 2, 1341 and 1346.

THE GRAND JURY FURTHER CHARGES:

COUNTS 9 through 12

HONEST SERVICES MAIL FRAUD AND MAIL FRAUD

The Grand Jury further charges that:

10. The allegations contained in paragraphs 1 through 9 of this Indictment are fully incorporated herein.

11. On or about the following dates in the Middle District of Pennsylvania and elsewhere, the Defendant

ROBERT C. CORDARO,

being aided and abetted by others known and unknown to the grand jury, having devised a scheme to defraud Lackawanna County and its citizens of their right to money and honest services in the affairs of Lackawanna County and to defraud The Friends of Munchak and Cordaro campaign committee of money and property by means of false and fraudulent pretenses, representations and promises, for the purpose of executing the scheme to defraud, on or about the following dates knowingly caused a Form 1099, an annual record of income received by an independent contractor, to be delivered by the United States mail or by a commercial interstate carrier according to the directions thereon the items listed below, each use of the United

States mail or a commercial interstate carrier being a separate count:

COUNT	DATE	DESCRIPTION
9	5/06	Mailing of a 1099 for 2005 on behalf of Company Number 2 to an individual nominee
10	2/07	Mailing of a 1099 for 2006 on behalf of Company Number 2 to an individual nominee
11	2/08	Mailing of a 1099 for 2007 on behalf of Company Number 2 to an individual nominee
12	2/09	Mailing of a 1099 for 2008 on behalf of Company Number 2 to an individual nominee

In violation of Title 18, United States Code, Sections, 2, 1341 and 1346.

THE GRAND JURY FURTHER CHARGES:

COUNT 13

CONSPIRACY

12. From in or about November, 2003 until on or about January, 2008, in the Middle District of Pennsylvania and elsewhere, the Defendants,

**ROBERT C. CORDARO and
ANTHONY J. MUNCHAK,**

conspired and agreed together and with others known and unknown to the grand jury, to commit theft or bribery concerning programs receiving federal funds in violation of Title 18, United States Code, Section 666 as follows:

13. Lackawanna County is a local government which received benefits of over \$10,000 each year period under a federal program involving a grant, contract, subsidy, loan and other form of federal assistance during 2003-2007.

14. The allegations contained in paragraphs 1 through 11 of this Indictment are fully incorporated herein.

MANNER AND MEANS

15. Defendants CORDARO and MUNCHAK, who were Commissioners and agents of Lackawanna County, solicited and accepted cash and other items of monetary value from individuals and entities seeking official action from, doing

business with or whose interests may be affected by the performance or non-performance of the Defendants' duties in matters of Lackawanna County involving \$5,000 or more and did so intending to be influenced and rewarded thereby.

OVERT ACTS

16. In furtherance of the conspiracy and to effect the objects of the conspiracy the Defendants CORDARO and MUNCHAK and others known and unknown to the grand jury committed the following overt acts in the Middle District of Pennsylvania and elsewhere:

(a) In or about May 2005 principals of Company #3 paid Defendant Munchak thousands of dollars in cash in an effort to be paid promptly for work performed for the County, to retain its existing contracts with the County valued in excess of \$5,000, and in anticipation of receiving additional County contracts valued in excess of \$5,000;

(b) In or about July 2005 principals of Company #3 paid Defendant Munchak thousands of dollars in cash in an effort to be paid promptly for work performed for the County, to retain its existing contracts with the County valued in excess of \$5,000, and in anticipation of receiving additional County contracts valued in excess of \$5,000;

(c) Subsequent to Defendant Munchak's receipt of thousands of dollars in cash from principals of Company #3, Defendant Cordaro called one of the principals to thank them for the cash;

(d) In or about December 2005 principals of Company #3 paid Defendant Cordaro thousands of dollars in cash in an effort to be paid promptly for work performed for the County, to retain its existing contracts with the County valued in excess of \$5,000, and in anticipation of receiving additional County contracts valued in excess of \$5,000;

(e) From on or about December 29, 2003 until on or about May 5, 2004, Defendant CORDARO accepted thousands of dollars in cash from a principal of Company #1 who made the payments in order to be allowed to maintain existing contracts valued in excess of \$5,000, for work at the Wilkes-Barre/Scranton International Airport, which received federal assistance in excess of \$10,000, and in anticipation of receiving additional County contracts valued in excess of \$5,000;

(f) From in or about January 2005 and continuing until on or about January 2008, Defendant CORDARO accepted thousands of dollars in cash and checks, via a nominee, from a principal of Company #2 who made the payments in an effort to be paid promptly for work performed for the County, to maintain existing County contracts valued in excess of \$5,000, and in anticipation of receiving additional County contracts valued in excess of \$5,000;

(g) In or about the first quarter of 2006, Defendant CORDARO accepted thousands of dollars in cash from a person who made the payment as a bribe or kickback for granting a county contract valued in excess of \$5,000 to Company #8;

(h) In or about March 2005, Defendant Cordaro went on a trip to the Playboy Mansion in California which was paid for by a person as a kickback for being awarded a contract for the administration of the Lackawanna County Workers' Compensation Fund.

(i) Sometime in 2006 a principal of Company #4 gave approximately \$1,000 cash to a person to give to Defendant Cordaro in hopes of getting a County contract valued in excess of \$5,000. Shortly thereafter, Company #4 was paid by the County to work at the Lackawanna County Courthouse;

(j) In or about November, 2003 and again, on or about September 19, 2007, Defendant MUNCHAK accepted thousands of dollars in cash from principals of Company #5 which had contracts with the County valued in excess of \$5,000;

(k) Sometime in 2003 Defendant CORDARO accepted approximately \$500 in cash from a principal of Company #6 which had a County contract valued in excess of \$5,000;

(l) Sometime in 2003 Defendant CORDARO accepted thousands of dollars in cash from a principal of Company #7 which had a County contract valued in excess of \$5,000;

(m) Sometime in 2003 Defendant MUNCHAK accepted approximately \$500 cash from an individual who requested a specific County appointment and, after Defendants MUNCHAK and CORDARO were appointed majority commissioners, the individual was appointed to his requested position;

(n) Sometime during 2006, Defendant CORDARO entered an agreement involving four individuals whereby the individuals constructed a cell tower at the Lackawanna County 911 Center, Defendants CORDARO and MUNCHAK caused the County to buy it for approximately \$257,933 and CORDARO received approximately \$14,000 (or 1/5) of the profit;

(o) On or about August 5, 2005 Defendant CORDARO utilized his influence as a majority Lackawanna County Commissioner to have COLTS terminate the company which was awarded a contract at the Intermodal Transportation Center (ITC) after a bidding process and hire Company #3, which made thousands of dollars in cash payments to the Defendants in 2005, without engaging in a bidding process, which prompted the Federal Transportation Administration (FTA) to demand that the County return approximately \$907,000 in federal funding;

(p) On or about March 9, 2004, March 15, 2005, April 28, 2006 and August 18, 2007, Defendant CORDARO intentionally filed a false annual Statement of Financial Interests which did not disclose the source of all the cash, trip and other things of value including the payments received as previously set forth;

(q) Defendant CORDARO failed to file any Statement of Financial

Interests form for 2007;

(r) On or about January 5, 2004, April 28, 2005, April 28, 2006, January 31, 2007 and April 29, 2008 Defendant MUNCHAK intentionally filed false annual Statements of Financial Interests which omitted the source of all the payments previously set forth; and,

(s) Defendants CORDARO and MUNCHAK filed materially false campaign reports in which they failed to disclose the source of or the amount of the cash they received as described above.

In violation of Title 18, United States Code, Section 371.

THE GRAND JURY FURTHER CHARGES:

COUNTS 14 through 18

THEFT OR BRIBERY CONCERNING PROGRAMS

RECEIVING FEDERAL FUNDS

17. The allegations contained in paragraphs 1 through 16 of this Indictment are fully incorporated herein.

18. On or about the following dates in the Middle District of Pennsylvania and elsewhere, the Defendants,

**ROBERT C. CORDARO and
ANTHONY J. MUNCHAK,**

who were each an elected Lackawanna County Commissioner and agent of Lackawanna County, a local government which received benefits of over \$10,000 under a federal program involving a grant, contract, subsidy, loan and other form of federal assistance during each one year period commencing on January 1, 2004 through January 1, 2009, aiding and abetting each other, did corruptly solicit and demand or accept and agreed to accept for their own benefit anything of value in the approximate amount set forth below intending to be influenced and rewarded in connection with business, a transaction, and series of transactions of Lackawanna County involving anything of value of \$5,000 or more, that is, County contracts and

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Office of Disciplinary Counsel

Signature: Kristin A. Wells

Name: Kristin A. Wells

Attorney No. (if applicable): 312080