



**NEWS FROM:  
THE JOINT COMMISSION ON PUBLIC ETHICS**

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**SENIOR STATE TRIAL LAWYER VIOLATED TRAVEL REGULATION  
BY ACCEPTING RIDE ON DEFENSE COUNSEL'S CHARTERED JET**

ALBANY – (July 23, 2014) – The New York State Joint Commission on Public Ethics (the Commission) announced today that David N. Ellenhorn, senior trial counsel for the Office of the Attorney General (OAG), violated the State travel regulations by accepting air travel from a 2009 deposition on a jet chartered by opposing counsel, according to a [settlement](#) agreement reached between Ellenhorn and the Commission.

Ellenhorn was prosecuting the State's civil fraud case against former American International Group (AIG) executives Maurice "Hank" Greenberg and Howard I. Smith when he traveled to Omaha, Nebraska to question Berkshire Hathaway CEO Warren Buffet. Greenberg attorney David Boies offered seats back to New York City on his chartered jet to all the attorneys who had attended the deposition. Ellenhorn, despite having refundable airfare paid for by OAG, accepted the flight, failed to obtain OAG approval, and failed to obtain a refund for the ticket that went unused.

"Mr. Ellenhorn failed to follow the basic travel rules that are in place for all state employees to help avoid any real or perceived conflicts of interest," said Commission Executive Director Letizia Tagliafierro.

Greenberg, through different counsel, brought Ellenhorn's flight on Boies's chartered jet to the Commission's attention in December 2013. The State travel regulations in effect at the time of the flight dictated that in certain circumstances State employees could accept travel paid for by a non-State party, but only after submitting a written request and obtaining approval from their agency.

Boies incurred no additional cost because of Ellenhorn's presence on the plane, and Ellenhorn received no financial benefit. There were no meals or alcoholic beverages served on the flight.

A copy of the settlement agreement with the Commission may be obtained by clicking [here](#).