

AKLAND COUNTY

Detroit feds' discovery of luggage with \$1.6M leads to legal saga

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Farmington Hills — When Brian Benderoff and Dr. Billy Gonte returned from a trip to Las Vegas in 2016, they were stopped by federal agents who discovered \$1.6 million in cash in their luggage.

Gonte told the Homeland Security investigators that their gambling trip was partly financed by people who thought they were making business investments, according to federal court records.

But Benderoff, sitting all day in a federal detention facility near Detroit Metro Airport, had an even more riveting story, one unrelated to the Vegas trip.

Benderoff said he and Gonte had been involved in an insurance scam with one of the highest-paid business executives in Michigan, Gary **Shiffman**, chief executive of Sun Communities, a Southfield firm that develops manufactured home communities, according to Benderoff and a motion filed last year in a federal criminal case against him.

Shiffman and the insurance deal also are mentioned in an ongoing lawsuit filed in 2021 in Oakland County Circuit Court.

The lawsuit, filed by Benderoff's wife, Amy Mosher, said **Shiffman** worked with Gonte to fraudulently sell life insurance policies covering **Shiffman**'s mother. **Shiffman**, who was the beneficiary, received higher payments after Gonte made his mother seem unhealthy. Mosher is suing **Shiffman** for ownership of an unrelated life insurance policy. The case is scheduled to go to trial on June 12.

A lawyer for **Shiffman**, Jeff Heuer, declined to speak to The Detroit News for this story. In a court motion in April, he said the allegation of insurance fraud is false and scandalous.

“(Mosher) has made this litigation as annoying, evasive, expensive and unpleasant as possible to extort a large settlement payment,” Heuer wrote.

Shiffman, 68, was interviewed by prosecutors and turned over personal information during a five-year federal investigation that didn't lead to charges against him, Heuer said in the motion. He and **Shiffman** declined to answer questions about the insurance deals.

While no charges were filed against **Shiffman**, the investigation led to the indictment of Gonte, 62, and Benderoff, 56, in 2020. Those charges were dismissed in September when a judge ruled the statute of limitations had expired. Gonte, who doesn't have a lawyer, declined to comment.

The seizure of cash at the airport sparked two federal investigations whose only conviction was a single minor figure, but the repercussions continue today with a legal squabble that might cost a West Bloomfield Township woman her home.

The saga includes alleged blackmail, a private handwritten agreement, \$40,000-a-night villas, a doctor charged with switching a patient's blood, a lawyer convicted of swindling clients, a high roller gambler amassing seven-figure debts and cameo appearances by actor Ben Affleck and basketball star Kevin Durant.

Details of the alleged activities were gathered through interviews and the review of thousands of pages of depositions, affidavits, court transcripts, financial documents, medical reports and investigative reports in federal and state court files.

“I worked 23 years as a federal prosecutor, and this, by far, is one of the most crazy cases I've ever been in,” said Michael Bullotta, a Detroit attorney who represented Benderoff.

A business executive's struggles

Shiffman, who made \$14 million in 2021, is worth \$237 million, according to Benzinga financial news. In 2008, however, he was hurting. So were other business executives as a global financial crisis decimated the housing market, caused the stock market to plummet and led to the failure of major companies.

The calamity left **Shiffman** with an adjusted gross income of negative \$4.9 million, according to his 2009 federal tax return. He owed \$30 million to various creditors, including his mother, according to the federal indictment of Gonte and Benderoff.

A financial statement prepared by **Shiffman**'s assistant in 2009 showed that, while he owned considerable assets, he had just \$120,000 in cash, said the indictment. He was facing \$2 million a year in premiums for life insurance policies he had on his mother.

He tried to unload the six policies worth \$63 million but failed several times. He then sought help from Gonte, an internist from West Bloomfield who worked with close friend Benderoff on those types of sales.

In the kitchen of **Shiffman**'s home in West Bloomfield, he wrote a one-page, handwritten agreement in 2009 that gave Gonte up to 30% of the proceeds of the sales, according to the indictment.

“I hereby grant Bill Gonte an unassignable interest in the proceeds of a sale of life insurance policies on **Lois Shiffman**,” reads a copy of the agreement, which is an exhibit in the Mosher lawsuit.

Shiffman said in a deposition in the lawsuit that the agreement wasn't secret but that he didn't use an attorney to draft it because Gonte wanted it done quickly. He said 30% was a high payment but represented a net benefit.

The reason the insurance policies were hard to sell was his mother's good health, financial experts said.

Potential buyers would have to make premium payments, so the longer **Lois Shiffman** lived, the more it would cost them. A person with a short life expectancy is more lucrative.

Gonte used blood from a diabetic patient to create a false lab test in 2010 that said **Lois Shiffman** had diabetes, according to the indictment. She also visited a psychiatrist in Birmingham who falsely diagnosed her with severe dementia.

Gonte was asked during a deposition in March about another diagnosis by him that **Lois Shiffman** might have cancer.

“It was highly unlikely,” he said. “It was almost — it was almost an absurdity, like all the other diagnoses.”

Benderoff, a Farmington Hills resident who worked for an insurance broker, facilitated communications and meetings for the sales, said the indictment.

The false medical reports lowered **Lois Shiffman**'s life expectancy from 14 years to 7.5 years, according to the indictment.

Gary **Shiffman** promptly sold five of the six policies for \$6.9 million in 2010 and 2011, according to a spreadsheet prepared by federal prosecutors.

Payments lead to big bets

Benderoff enjoyed gambling big money, six-figures big, he told The News during several interviews. He played blackjack during monthly treks to casinos in Las Vegas, Florida and Connecticut.

Benderoff, who is excitable and garrulous, said he has a genius-level IQ and a photographic memory.

All gamblers experience swings in their winnings, and for Benderoff, the changes were huge. That's what happens when one bets up to \$50,000 per hand.

In 2006, he was charged with failing to repay \$300,000 in loans in Atlantic City, New Jersey, according to New Jersey court records. He pleaded guilty to failure to make a lawful disposition and was sentenced to 18 months of probation.

The adrenaline rush was just part of the allure. Casinos spend lavishly on high rollers knowing the cost is usually offset by their gaming losses.

So Benderoff traveled by private jet, drank Cristal, smoked Cuban cigars, swam in a private pool and received free tickets to the Super Bowl.

He played poker with Affleck, basketball with Durant and took selfies with Kevin Costner.

He received so many Rolex, Cartier and Patek Philippe watches that he started a collection.

A lawyer pleads to wire fraud

The odds caught up with Benderoff as his gambling losses outweighed the wins.

A friend, Rob Gross, a lawyer from Clawson, sought short-term, high-interest loans from his clients, said a criminal complaint against him.

Gross, 54, told them it was for various investments: the selling of life insurance policies, a business obtaining a license to sell medical marijuana in Colorado, paying a lien on equipment that would allow a business to be sold.

“It’s about time you and I made some money,” he wrote in an email to one client in 2016.

Instead of investing the money, Gross sent it to a bank account owned by Benderoff and Gonte and used by Benderoff to pay his gambling debts, according to the complaint.

Gross was charged with fraud in securing \$3.6 million in loans from six people from 2013 to 2016. He pled guilty to one count of wire fraud in 2017 and was sentenced to three years in prison. His law license was suspended for four years.

Gonte and Benderoff, who cooperated in the federal investigation, weren’t charged.

Gambler pleads for more loans

Benderoff and Gonte also sought money from **Shiffman**.

The business executive had paid them \$1.9 million for their help in the sale of his mother's life insurance policies, but they said he owed them more.

When **Shiffman** balked, they threatened to tell authorities about his alleged role in the sale, Benderoff told The News.

Shiffman eventually gave them an additional \$1.5 million from 2013 to 2015, according to depositions and exhibits in the Mosher lawsuit.

Shiffman said during a deposition that they were loans. But Benderoff and Gonte said they were payments dressed up as loans to hide the fact Shiffman was paying them so much money. The money was never repaid.

In 2015, **Shiffman** filed a lawsuit against Gonte for failing to repay a \$700,000 loan from 2013. Gonte and Benderoff then dropped off an envelope at Shiffman's office that contained a copy of their agreement and the medical records where he switched his mother's blood with another patient's, Benderoff said.

Shiffman dropped the lawsuit three weeks later.

Benderoff, who has kept records of his dealings with **Shiffman** for 13 years, was asked by The News if he was strong-arming the business executive.

"We did have to pressure him in terms of reminding him," he said. "He put everyone in harm's way, so he needs to honor his agreement (to pay them)."

During his deposition in the Mosher lawsuit, **Shiffman** repeatedly denied being pressured to make the loans, saying there was nothing to pressure him about.

Asked why he continued to make the loans after earlier ones weren't repaid, Shiffman said he appreciated how Benderoff and Gonte had helped him with his mother's policies.

'I'm in trouble'

In June 2016, Gross joined Benderoff and Gonte on a trip to Las Vegas. They were there for three weeks while Benderoff, starting with \$1 million, won another \$1 million on the blackjack tables, he said.

Benderoff and Gonte caught a red-eye flight back to Detroit on June 23. (Gross had returned two days earlier for work.)

The two men carried \$1.6 million in cash, two checks worth \$1 million and a Rolex watch, according to a Homeland Security investigative report. The stacks of \$10,000 in \$100 bills were wrapped in Caesar Palace casino bands.

Besides the \$1 million stake and \$1 million in winnings, the other \$600,000 was additional money Benderoff had brought for the trip, he said.

Asked why he took the winnings in cash, Benderoff said the loans from Gross' clients had to be repaid quickly, and he didn't want to wait for a check to clear.

A Transportation Security Administration screener spotted the cash at the airport in Las Vegas and alerted Homeland Security officials in Detroit. When Benderoff and Gonte got off the plane in Detroit, they were greeted by four law enforcement officials and a police dog.

Benderoff asked to use the airport bathroom, and sitting in a stall with a federal agent on the other side of the door, he sent an email to his attorney.

“I’m in trouble,” he wrote.

Homeland Security agents brought the two men to their facility and interrogated them the entire day about where they got the money to gamble with.

The agents told Benderoff that Gonte was giving them incriminating evidence against him. Benderoff then told them about the life insurance deals involving **Shiffman’s mother**.

In 2020, Benderoff and Gonte were charged with conspiracy and six counts of wire fraud affecting a financial institution, which has a statute of limitations of 10 years.

They argued in federal court that Wells Fargo, the bank involved in the insurance sales, wasn’t financially hurt by the alleged fraud because it merely facilitated the exchange of paperwork and held the sale proceeds in escrow before disbursing them.

A simple charge of conspiracy to commit wire fraud has a statute of limitations of five years, which expired, they said. Detroit U.S. District Judge Nancy Edmunds agreed with their argument, dismissing the case in September.

Fighting about death benefits

In her lawsuit against **Shiffman**, Mosher is fighting for the death benefits of a New York woman named Coula Johnides. Mosher said she received the woman’s life insurance policy from Gonte in 2016.

But **Shiffman** said Gonte gave the policy to him in 2014 as compensation for extending a \$700,000 loan he made to Gonte the year before.

Gonte said in a deposition in the lawsuit that he never gave the policy to **Shiffman**. He said the loan was a sham that was never meant to be repaid, that it was payment to him and Benderoff for their roles in the sale of **Shiffman**'s life insurance policies.

“There was no loan. There was nothing,” Gonte said during the deposition last month. “It was just another papier-mache, window-dressing sham loan.”

When Johnides died in 2018, **Shiffman** and a friend pocketed \$800,000 in death benefits, Mosher said.

Mosher said she was confused by **Shiffman**'s action in taking something that she believes belongs to her.

"It angers me that some people in this world seem to be able to get away with anything. You can quote that," she said.

In November, **Shiffman** tried to foreclose on the West Bloomfield home of Lori Selonke, who is close friends with Benderoff. Selonke then filed her own lawsuit against Shiffman, saying the foreclosure was being done in retaliation for Mosher's accusations.

Selonke's condo in West Bloomfield was collateral for a \$550,000 loan from **Shiffman** to Gonte and Benderoff in 2015.

Shiffman never took action on the loan, which has been unpaid for seven years, until Mosher filed a lawsuit against him, Selonke said.

In December, Selonke received a temporary restraining order that prevented the sale of her home one hour before a public auction.

All the legal wrangling in the various cases had Heuer, **Shiffman**'s lawyer, shaking his head during a January hearing.

“So there's enough here for probably a decade of ‘Law & Order’ episodes,” he said.

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