

# FBI staged robbery for leverage, lawyers say

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The FBI staged an armored car company robbery to get leverage on a group of men they believed knew the whereabouts of more than \$200 million in stolen museum artwork, the defendants' lawyers told a federal jury in Boston yesterday.

The four men, being tried on charges of attempted robbery, conspiracy, and various firearms violations, were enticed by a government informant to help with the Feb. 9, 1999, attempted robbery of the Loomis-Fargo Armored Car Co. in Easton, defense attorneys said in opening statements in US District Court.

Carmello Merlino, 66, his nephew William Merlino, 40, both of Quincy; Stephen Rossetti, 42, of Boston; and David Turner, 33, of Randolph, have pleaded not guilty to the charges.

The theft in 1990 of several

masterpieces from Boston's Isabella Stuart Gardner Museum remains unsolved. The heist included paintings by Rembrandt and Vermeer and was the costliest in US history. The empty frames of the stolen paintings still hang in the museum.

Turner's attorney, Robert M. Goldstein, said the FBI was trying to get Turner to talk about the stolen artwork, possibly by offering to drop the charges associated with the attempted holdup in exchange for information.

All four men deny involvement in the museum heist or knowledge of the artworks' whereabouts.

"The government manufactured a crime to provide them with leverage to squeeze David Turner for any information he possibly had about the paintings stolen from the Gardner Museum," Goldstein said.

Assistant US Attorney James F.

Lang did not mention any connection to the art theft in his opening statement. Lang did concede that agents used an informant, Anthony Romano, to help build the attempted robbery case against the four men. Romano is a convicted felon with a history of drug abuse.

"Those are not the qualities that the FBI looks for or cherishes in a witness," Lang said. "But it was largely because of his criminal background that he was able to infiltrate this case."

Romano, who worked for Carmello Merlino at his Dorchester automotive repair business, taped at least 17 conversations with the four defendants. Some of those discussions, Lang said, contained references to the use of a hand grenade and an M-14 assault rifle during a planned robbery. Both items were found in Turner's Chevy Tahoe on the day he was arrested, along with ski masks and

bulletproof vests, Lang said.

Romano, who is due to testify later in the trial, is currently in the federal witness protection program.

FBI reports show that agents had approached Carmello Merlino between 1997 and 1998 because they believed he might know who had the Gardner artwork. But Merlino didn't tell them anything about the artwork, the reports say.

Merlino's attorney, Martin Boudreau, argued that Romano helped the FBI because he wanted the \$5 million reward offered for the recovery of the artwork. Boudreau also said Romano encouraged Merlino to plan a robbery of Loomis-Fargo. Prosecutors maintain Carmello Merlino was the mastermind behind the robbery plot.

## LOTTERY

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