

The Billionaire Boys' Club

BY AMANDA L. RIDDLE, ESQ.

The Billionaire Boys' Club was formed by Joseph Henry Gamsky, also known as "Joe Hunt," in the early 1980s. It started as a social and investing club made up of young men from prominent families in the Los Angeles area. The organization was run as a Ponzi scheme, with money contributed by investors spent on supporting the lavish lifestyles of the young members in the club.

Their antics spawned a 1987 network television miniseries starring Judd Nelson called "Billionaire Boys' Club" with the tag line "Young, Rich and Out of Control," and a book by author Randall Sullivan, called "The Price of Experience: Power, Money, Image and Murder in Los Angeles."

WHEN FUNDS RAN SHORT

When funds ran short in 1984, Hunt and other members turned to murder in an effort to raise more money. When authorities began to investigate the murders, Dean Karny, the club's second-in-command, exchanged evidence in return for immunity from prosecution. Hunt and club-security director Jim Pittman were charged with the murder of Ron Levin, a con artist who had allegedly swindled the BBC out of over \$4 million. Hunt, Pittman, and club members Arben Dosti and Reza Eslaminia were charged with the murder of Hedayat Eslaminia, Reza's father, allegedly to acquire his fortune which was reputed to be \$35 million. Hedayat Eslaminia had been a high-ranking member of the Shah of Iran's government and was living in

exile in Belmont. Authorities said Hedayat Eslaminia was kidnapped from his Belmont apartment by his son and others who intended to torture him to extort the money, however he suffocated in a locked trunk while being driven to Southern California in 1984.

Hunt's conviction and Pittman's hung juries for the Levin murder all took place in Los Angeles where that crime occurred. The Los Angeles District Attorney sought the death penalty for Hunt, but the jury returned a life without parole verdict in the penalty phase. He remains in prison for the Levin murder despite his numerous appeals and writs.

CASES TRIED IN SAN MATEO

The Hedayat Eslaminia murder and kidnapping cases were tried in San Mateo County, where that crime initiated. Judge Robert Miller presided over the case against co-defendants Arben Dosti and Reza Eslaminia – who was represented by attorneys Gary Merritt and (later Commissioner) Joe Allen – which resulted in their convictions in early 1988. Those convictions were overturned in 1998 on the grounds that jurors improperly heard a tape recording that was considered prejudicial. On retrial, Reza Eslaminia was represented by (now Judge) Cliff Cretan and Jeff Boyarsky. Judge Carl Holm ruled that Reza Eslaminia was entitled to know Dean Karny's – who was now in witness protection and the prosecution's star witness – current name and whereabouts so that the defendants could investigate Karny's possible criminality since 1984 for impeachment purposes. Judge Holm dismissed the case in 1999 when State and Federal authorities re-

An incredible array of pretrial motions consumed 185 days over nearly a four-year period from 1988 until early 1992.

fused to provide that information. Dosti was not retried, but he pleaded guilty to reduced charges and did not serve additional prison time.

Hunt was brought to San Mateo County and his case began in 1988 a few months after Dosti and Eslaminia were sentenced. Judge Dale Hahn presided over the Hunt trial. Hunt was initially represented by counsel (attorneys Parker Kelly and Mike Devoy), but went pro per a few months later. Attorney Parker Kelly served as Hunt's advisor and standby counsel for over two years. When Kelly joined the District Attorney's Office in 1991, attorney Doug Gray took over that role. Attorney Dario de Ghetaldi served as the court's research attorney in the initial stages of the case.

An incredible array of pretrial motions consumed 185 days over nearly a four-year period from 1988 until early 1992. During that time the parties applied for a total of 23 writs from the Court of Appeal. Although some of these writs resulted in the stay of proceedings in the trial court, all of the relief sought in these writs was ultimately denied. Because of Hedayat Eslaminia's mysterious background, several federal agencies had records concerning his activities and participated in discovery arguments. At the outset of the investi-

gation, FBI agents and representatives of what was described as a “sister agency” seized evidence the Belmont Police Department had collected, declared it classified and refused to release it to anyone.

PUBLICITY

In addition to all the other publicity the Levin trials and the Dosti and Eslaminia trial had generated, a local television station ran the Judd Nelson BBC mini-series again the day jury selection began in the San Mateo County Hunt trial. With this publicity and the anticipated length of the trial at eight months, several hundred prospective jurors had to be screened for hardship and exposure to publicity before beginning substantive voir dire.

With all obstacles cleared, the actual trial began with opening statements in April 1992. The trial itself took almost eight months. One of the reasons for the complexity and length of the trial was that the prosecution was allowed to present evidence of the Levin murder to show Hunt’s motive and intent for the Eslaminia kidnapping. The prosecution also put on extensive evidence of the BBC’s financial activities that lead up to and allegedly provided

the motive for both killings. Hunt, in turn, presented his defense to the Levin case including evidence that five eyewitnesses had purportedly seen Levin alive since the date of his alleged death.

PROSECUTION'S THEORY

The prosecution’s theory of the Hedayat Eslaminia case was based on Karny’s account that he, Hunt, and the other accused BBC Boys kidnapped Eslaminia in order to torture and extort money from him and that Eslaminia died accidentally when he suffocated in a steamer trunk which turned out to have inadequate ventilation. Hunt’s testimony was that there was no kidnapping. He claimed the BBC Boys agreed to smuggle Eslaminia out of Belmont in order to help him escape from Iranian agents and that Karny alone killed Eslaminia in a separate transaction after the BBC Boys had delivered Eslaminia safely to Los Angeles. Hunt put on an elaborate scientific defense in an effort to show that it was not possible for Eslaminia to have died at the place and under the circumstances described by Karny.

Overall, the prosecution called 42 witnesses while the defendant called 100. Twenty-one experts testified

on various subjects, two for the prosecution and 19 for the defense. There were 217 exhibits from the prosecution and 570 from the defense, a significant number in a criminal case. Hunt himself was on the witness stand for 19 days. The prosecution case took six weeks. The defense case took five and a half months. After deliberating for 26 days, the jury announced they were hopeless deadlocked, 8-4 in favor of Hunt’s acquittal. The prosecution elected not to retry the case against Hunt, and it was, therefore, dismissed by Judge Aram Serverian.

NEWS ACCOUNTS

Several newspaper and Wikipedia accounts claim that Hunt is the only pro per to win a capital case. However, this is inaccurate as the prosecution did not actually seek the death penalty in the Hedayat Eslaminia murder and never even filed a special circumstance allegation in connection with the murder charge. The most severe sentence Hunt could have received if he had been convicted on the murder charge would have been life in prison with the possibility of parole. He could, however, have been sentenced to life without parole on the kidnapping charge. □

McDowall Cotter

A PROFESSIONAL CORPORATION · ATTORNEYS AT LAW

A common-sense approach to the practice of law.

Sedation Arbitration, transcendental mediation: **We wake you when it’s over.**

Read about our recent success:

Burgueno v. Regents of University of California (2015) 243 Cal. App. 4th 1052

2070 Pioneer Court · San Mateo CA 94403

650-572-7933 · www.mcdlawyers.net