

# NY RC | NEW YORK PROTON REGIONAL CENTER



## **Yitzhok (Jacob-Jack) Lefkowitz**

*(Is a "serial bankruptcy filer" and Principal debtor in Kollel Mateh Efraim LLC Bankruptcy case # 04-16410 SMB committed against Helen May Holdings, LLC; Irene Griffin-sole managing member)*



Mr. Lefkowitz is the Principal, Managing Partner, and Chief Executive Officer of the Proton Institute of New York. Mr. Lefkowitz was born and raised in Brooklyn, New York. He is the founder of several healthcare related entities, of which currently, he Manages and operates.

In 1990 Mr. Lefkowitz Founded **Barclay Dwyer Company** *(his exit strategy was yet another serial bankruptcy filing)* a New York real estate development organization headquartered in tower one of the **World Trade Center** *(Upon information and belief, he subsequently filed an action against the U.S. Government for two hundred million dollars)* which sponsored over 500 Million dollars of condominium development in various New York City projects. After 9/11, in 2001, Mr. Lefkowitz spearheaded the formation and capitalization of a New York City based Radiology Center, which specializes in cancer diagnoses; **New York Medscan, LLC** (www.nymedscan.com). This was the first outpatient PET/CT facility in New York City.

Today, Medscan is a leading provider of diagnostic imaging in the tri-state-area; diagnosing more than 5,000 patients annually. **MedScan has an exclusive contract with the VA hospitals** *(Lefkowitz has demonstrated nothing but scorn and contempt for veterans and those who are not of his faith)* in New York and New Jersey and also the exclusive contract with the NYC Health and Hospitals Corporation (NYCHHC), a ten hospital system in New York City. MedScan also works closely with all the major New York City based healthcare and teaching Institutions.

Mr. Lefkowitz's connections with the medical industry are widespread. In 2004, *(while he filed a fraudulent chapter 11 bankruptcy against Helen May Holdings, LLC Irene Griffin sole managing member)* he created a Medical Billing company, known as E-Z Bill ([www.e-zbill.com](http://www.e-zbill.com)). E-ZBILL is a Professional Billing Services and premium electronic medical billing and coding company on the cutting edge of the medical billing and coding business. E-ZBILL Professional Billing Services is a full practice management company with offices located in midtown Manhattan New York and Charlotte, North Carolina.

Additionally, in 2007, *(While he continued to occupy Irene Griffin's property as a chapter 11 debtor in a bankruptcy stay)* Mr. Lefkowitz conceptualized and formed Care to Care, LLC, ([www.caretocare.com](http://www.caretocare.com)) a Radiology and Oncology Benefit Management company based in New York; a URAC-accredited Radiology Benefits Management Company. Care to Care's evidence-based and provider-friendly clinical radiology management solutions deliver a high return on their clients' investment. This aim is achieved while seeking to improve patient care by reducing wasteful imaging studies, and maintaining collegial and cooperative communications with the referring provider community.

Care to Care helps payers reduce radiology spending through dynamic programs that give health subscribers access to high-quality, cost-effective outpatient diagnostic imaging. This aim is achieved while working collaboratively with the physician community to promote best practices that adhere to evidence-based guidelines for the proper use of medical imaging. Care to Care operational values include: Processes designed with attention to provider, patient, and payer concerns; Delivering immediate impact solutions to inappropriate utilization of imaging services and to appropriately manage long term trends; Offering programs to assess and improve the quality of service rendered to plan members.

In addition to his positions in the healthcare industry, Mr. Lefkowitz spent most of the 1980's and 1990's being involved in Venture Capital and Entrepreneurship in the areas of real estate and finance. *(Court dockets demonstrate that by abusing the bankruptcy system as a serial chapter 11 filer: which by definition under the code constitutes bankruptcy fraud, Lefkowitz and his attorneys, Backenroth, Frankle and Krinsky have destroyed countless small business owners. NYS Attorney General also filed against him as principal of 27 North Moore St Associates, Inc., where his own partners accused him of fraud.)*

Mr. Lefkowitz is best known as a Community Leader and Activist. Currently, he co-chairs several boards in the philanthropic circles of New York City. *(It's easy to be "philanthropic" with money fraudulently acquired from mom & pop creditors in bankruptcy courts)*

STATE HOSPITAL REVIEW and PLANNING COUNCIL (SHRPC)

[http://www.health.state.ny.us/facilities/state\\_hospital\\_review\\_planning\\_council/meetings/2010/2010-09-30/docs/agenda\\_book.pdf](http://www.health.state.ny.us/facilities/state_hospital_review_planning_council/meetings/2010/2010-09-30/docs/agenda_book.pdf)

New York State Department of Health

September 30, 2010

Regular Meeting

**The Proton Institute of New York, LLC**

Review:

Third-Parties Involved in the Operation of the Facility:

Because a third-party (TPIONY) is intended to play a significant role in the physical plant and administrative operations of the proposed facility, would provide a significant portion of the funds required to develop the facility, and would share in its revenues, the Department conducted a modified “character and competence” review of TPIONY and its ownership, focusing on the business experience and capacity of its principals to carry out TPIONY’s administrative and financial commitments to the proposed projects. **Yitzhok Lefkowitz** and Yitzhak Tessler each hold 50 percent interests in TPIONY, which was established to develop this project. Mr. Lefkowitz is the founder and CEO of New York Medscan, LLC, a practice management company which provides management and billing services for Remote Diagnostic Imaging, PLLC (a nuclear medicine diagnostic practice) and management services for the NYC HHC’s diagnostic oncology imaging services. Mr. Lefkowitz is also the founder of Care to Care, LLC, a radiology benefit management company, and E-Z Bill a medical billing and practice management company. Mr. Lefkowitz has also been involved in real estate development ventures. Yitzhak Tessler is the principal, managing partner and CEO of Tessler Developments, LLC, a real estate development firm. **Mr. Lefkowitz** and Mr. Tessler each **disclosed one pending civil suit**.

**Conclusion**

**The applicant has failed to demonstrate** the ability to fully fund project costs and needed working capital. Mr. Tessler has not sufficiently demonstrated to the Department the capability to convert net worth to needed cash for project funding. Bank letters of interest for the proposed land and bridge loans were not submitted to the Department. Additionally, \$235,651,000 is to come from a group of qualified investors through the EB-5 Loan Program which is dependent on investors that have not been identified. Therefore, TPTCC’s ability to fund this project cannot be verified. The applicant informs the Department that such investors will be identified at some point after project approval, but it is the applicant’s responsibility to demonstrate the capability to fund project costs and working capital needs prior to approval. The applicant has not demonstrated financial capability, and **disapproval is recommended**.

**A review of state and federal judicial databases revealed the following cases:**

*We believe that this review is incomplete and sorely lacking in breadth and scope. Yet it still demonstrates a serial bankruptcy filer and a pathological liar.*

## **Jack (Yitzhok) Lefkowitz**

**In re Kollel Mateh Efraim, LLC, U.S. Bankruptcy Court, SDNY, 04-16410;** Robert Geltzer as Ch. 7 Trustee of Kolleh Mateh Ephraim, LLC v. **Helen-May Holdings, LLC** et al., U.S. Bankruptcy Court, SDNY 04-4545; Robert Geltzer as Ch. 7 Trustee of Kolleh Mateh Efraim v. Jack Lefkowitz et al., U.S. Bankruptcy Court, SDNY 08-1265: Bankruptcy under Chapter 7, initiated as a Chapter 11 case, but converted to Chapter 7 by court order. **Mr. Lefkowitz was the sole member of Debtor**, which was established to promote real estate investments and development. Related litigation by Chapter 7 trustee alleged breach of fiduciary duties against Mr. Lefkowitz and the Debtor's manager. *Court records indicate that cases were consolidated for trial in August 2009 (2009 Bankr. LEXIS 2236).*

**Lee Odell Real Estate v. Lefkowitz, Lefkowitz, and Maskil El-Dal, NY Co., 108939/2007** Lawsuit to enforce a prior judgment of \$671,000 related to a brokerage commission alleging fraud and fraudulent conveyance. The court denied the defendants' motion to dismiss. 2009 NY Slip Op 31052. Through Mr. Lefkowitz's lawyer, TPTCC indicates that a portion of the judgment remains outstanding; discovery demands remain outstanding; and settlement discussions are pending.

**In re First Quality Realty, LLC, U.S. Bankruptcy Court, SDNY, 02-14758:** Voluntary petition under Chapter 11. **Mr. Lefkowitz was a 25% member of the Debtor.** The case was settled in January 2008.

**In re Nassau Equities, LLC, U.S. Bankruptcy Court, SDNY, 99-43087;** Internation, Inc. v. Nassau Equities, LLC, U.S. Bankruptcy Court, SDNY, 04-16410; Rogers Burgun Shahine & Deschler, Inc. v. 150 Nassau Associates, LLC, Jack Lefkowitz, N.Y. Co., 113429/00; Lewis Gross v. 150 Nassau Associates, LLC, Jack Lefkowitz: Voluntary petition under Chapter 11. **Mr. Lefkowitz was owner of more than 5% of company and was managing member.** Related litigation by commercial tenants of premises owned by Debtor alleged harassment and unsafe premises. Final decree granted in the Chapter 11 case in January 2007; and the plan of reorganization substantially consummated. State court cases were settled in February 2001.

**State of New York v. 27 North Moore Associates, LLC, NY County, 400215/01;** Board of Managers of 27 North Moore Street v. 27 North Moore Associates, LLC and Spinbro Associates; N.Y. Co., 100460/00: Litigation commenced by the NYS Attorney General and condominium association alleging failure to disclose and repair construction defects in the building and in the individual units, including defects in the HVAC, plumbing and fire safety systems. **Mr. Lefkowitz was a principal in 27 North Moore Associates.** The case was settled with the transfer of commercial space in the ground floor of the building with an estimated value of \$2 million.

**General Electric Capital Corp. v. N.Y. MedScan, LLC, N.Y. County, 600132/2008.:** Allegations: Breach of contract, foreclosure of security interest, and breach of guaranty claims concerning payments on leases of PET and CT scanner. **Mr. Lefkowitz personally guaranteed payments under the leases in the amounts of \$320,000 and \$600,000.** The case was discontinued pursuant to a stipulation filed in December 2009.