

Will Dispute Lead to Potential Prison Time for Multimillionaire's Widower?

by **Celia Ampel**

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A South Florida multimillionaire's widower could face prison time after taking control of assets left to his stepsons and then leaving the country in defiance of court orders.

Victor Moskalenko's actions were the most "disturbing and troubling" behavior Broward Circuit Judge Mark Speiser had seen in his 33 years on the bench, the probate judge wrote earlier this year before Moskalenko apparently fled to Israel using a passport he'd been ordered to turn over to the court.

Speiser said he will find Moskalenko in criminal contempt of court if he does not appear



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Attorneys Jamie Zuckerman and Bruce Katzen are representing two brothers in a probate case against their stepfather, who took control of assets left by their mother and fled the country.

at a September hearing in Fort Lauderdale, which could result in a fine, incarceration or probation.

"As civil lawyers, we don't usually run into parties being imprisoned for contempt," said Bruce Katzen of Kluger,

Kaplan, Silverman, Katzen & Levine in Miami, who is representing Moskalenko's stepsons. "It's rare. I've been practicing over 30 years. I've never seen anything like it."

Katzen and his colleague Jamie Zuckerman have been

battling Moskalkenko in court for six years, after the 2010 death of oil heiress and businesswoman Sofi Moskalkenko-Kemelman led to a will contest.

Her sons from her first marriage, Michael Zonenashvili and Neil Moskalkenko-Zonenashvili, presented the court with a will that showed their mother left them all of her \$10 million fortune. But Moskalkenko produced a different will that bequeathed him substantial assets.

While the will contest was being sorted out, Speiser ordered both sides not to meddle with any of the estate assets, including those Moskalkenko held jointly with his wife.

The sons won the dispute, but they had trouble collecting the assets.

“What we found is that Victor had gone about doing just what we were afraid of,” Katzen said. “He transferred millions of dollars out of an account in Liechtenstein. He transferred a million-dollar

condo in Moscow, an approximately million-dollar condo in Israel, and oceanfront property in Ecuador worth millions [so he held sole ownership]. All of the most valuable assets of the estate were improperly transferred.”

Moskalkenko’s lawyer, Arthur Rosenberg of Rosenberg & Pinsky in Fort Lauderdale, did not respond to a request for comment by deadline.

The transfers sent Katzen and Zuckerman on an international chase to track down property records. They have secured about \$2 million in assets for the sons so far.

Speiser had found Moskalkenko in civil contempt of court for disobeying his orders not to transfer any assets after he sold the Moscow condo and sent him to Broward County Jail, with the option of being released whenever he gave the sons’ lawyers documents related to the property and gave them the proceeds of the sale.

But after a year and a half, Speiser allowed Moskalkenko to be released from jail, finding that keeping him locked up wasn’t helping the estate regain assets. He ordered the widower to turn over any and all passports and to refrain from traveling outside Broward County without court approval.

Moskalkenko turned over a U.S. passport, telling the court he couldn’t find his Israeli passport. Then, he headed for Israel, Katzen said.

“So there was another contempt hearing ... and Victor failed to appear,” he said.

But Moskalkenko has not disappeared. He is pursuing his stepsons as the petitioner in a case over his wife’s life insurance policy, also before Speiser. On Tuesday, he asked the judge if he could complete a deposition for that case via Skype from Israel.

“The judge basically said no,” Zuckerman said.

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