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Executive Profile

Local attorney represents some of area's most notorious defendants

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In April 2005, Sacramento-based attorney Malcolm Segal walked into the U.S. Attorney's Office in Sacramento to give a presentation about—of all things—heart surgery.

When he first took on the case of Dr. Fidel Realyvasquez, Jr., a Redding surgeon accused of performing hundreds of unnecessary cardiac bypasses, Segal didn't know the difference between an aorta and a ventricle. Two years later, he was ready to spend hours parsing the nuances of angiograms and intravascular ultrasounds before a roomful of federal prosecutors.



DENNIS MCCOY | SACRAMENTO BUSINESS JOURNAL
Malcolm Segal at his downtown Sacramento office.

The U.S. Attorney's Office was a familiar scene to him. He had worked as a federal prosecutor in U.S. Attorney's offices in Texas and California for nearly a decade at the start of his career. But over the last 37 years, Segal has worked as a defense attorney for some of the most notorious defendants prosecuted in Sacramento courts, often pitted against prosecutors from his professional alma mater, the U.S. Department of Justice.

Prominent people come to Segal and Associates PC when they face allegations that threaten significant jail time or to end their careers. People come to him when they have everything to lose, according to Segal, "because I can find a solution."

"I don't take many cases," he said. "But when I do, I'm all in."

In the case of Realyvasquez, that meant two years poring over medical textbooks, traveling the country shadowing a top medical malpractice attorney, and interviewing a half-dozen renowned heart surgeons. In the end, after allegations of health care fraud and the threat of 10-plus years in prison, charges were dropped and Realyvasquez agreed in a settlement to repay some of the surgery fees.

Born in the Bronx in 1943, Segal's penchant for learning new trades started at a young age. As a teenager, he sold women's shoes at a shop near Yankee Stadium and ushered at [Radio City Music Hall](#). As an undergraduate at City College of New York, Segal worked as an elevator operator at a ritzy apartment on Fifth Avenue.

He got his first taste of jurisprudence during his junior year in college. He spent an afternoon in a Manhattan courthouse for a sociology class, observing attorneys as they sparred in "the well." He was enamored by the prosecutors from the district attorney's office.

They commanded respect, he said, because everyone in the courtroom knew they were trying to do the right thing for the citizens of New York.

One day, a tenant in the Fifth Avenue apartment building where Segal worked asked him about his long-term plans. Segal said he wanted to go to law school. The tenant happened to be a prominent civil attorney. He offered to write Segal a letter of recommendation. Another high-profile tenant, political kingmaker Carmine DeSapio, wrote his other letter of recommendation.

And just like that, a job pushing elevator buttons turned into the springboard for Segal's legal career.

In 1968—the same year he graduated from law school, passed the bar and married his wife of 49 years—Segal landed his dream job as an assistant district attorney in Manhattan. Over the next four years, he worked fraud cases under the venerable District Attorney Frank Hogan.

Segal was recruited in 1972 to lead a strike force in the U.S. Attorney's office in Austin, Texas, aimed at disrupting the cocaine trade that was coming over the border. Two years later, he led a similar strike force in the U.S. Attorney's Office in Los Angeles. In 1977, after a brief stint as an assistant U.S. attorney in San Francisco, Segal became the chief assistant U.S. attorney in Sacramento.

Segal decided to leave the Justice Department for private practice in 1980. His newlywed days in Manhattan a decade behind him, Segal anticipated the mounting costs of supporting a family, buying a home and eventually sending his three daughters to college. Private practice, he figured, would be "exponentially more lucrative."

One of Segal's early high-profile clients was former Assembly Republican Leader Patrick Nolan, who was caught in an FBI sting operation on California legislators. Nolan was accused of accepting campaign contributions as a quid pro quo for taking action on pending legislation. Federal prosecutors charged him with extortion, money laundering, conspiracy and racketeering.

In 1994, Nolan wound up pleading guilty to one count of racketeering and served 25 months in prison.

Perhaps Segal's most high-profile client in recent years is Granite Bay real estate developer Abolghassem "Abe" Alizadeh, whom he still represents. Alizadeh ran a billion-dollar real estate operation that included office developments, retail centers and over 80 fast food and casual restaurants. In late 2008, his development company Kobra Properties declared bankruptcy. Several years later, Alizadeh was charged with 105 state counts of felony grand theft for failing to pay payroll and employment taxes. In 2015, federal prosecutors indicted Alizadeh on 18 counts of fraud and lying to a bank. The prosecutors alleged Alizadeh falsified bank documents to receive higher loan amounts on properties he owned.

Segal worked out a deal with state prosecutors on the grand theft charges. Aside from spending two weeks in jail before posting a \$1 million bond after his initial arrest, Alizadeh spent no time behind bars following the charges. The deal struck by Segal required Alizadeh to make payments to the state for the unpaid taxes.

The federal case against Alizadeh is set for trial next February—but Segal suggested that a settlement may be possible.

"These cases are very high-stakes cases for both sides," Segal said. "Often the best resolution is a settlement. But if you have to try them, you try them."

Benjamin B. Wagner, a former federal prosecutor and U.S. Attorney for the Eastern District of California from 2009 to 2016, recalls Segal as cool and collected in even the most high-stakes situations.

"Malcolm is incredibly thorough and he understands the federal justice system better than almost any defense attorney in town," Wagner said. During negotiations, he added, "Segal is calm, logical and persuasive. He's not given to histrionics or table-pounding."

Wagner, who is now partner-in-charge of [Gibson, Dunn & Crutcher's](#) Palo Alto office, faced off against Segal in notable cases during his time at the U.S. Attorney's Office, including the racketeering case against SK Foods owner Frederick Scott Salyer and the tax evasion case against the Sambado fruit-packing family.

Segal's approach to defending clients, Wagner recalls, is to make contact with the prosecution early on in the case and lay the groundwork for favorable negotiations.

"He's much more invested in the negotiation process than most other defense attorneys," Wagner said. "He knows people in the U.S. Attorney's Office and he makes good use of that when negotiating for his clients."

Segal's caseload hasn't let up, and the 74-year-old attorney shows no intent of slowing down. He says he still exercises five days a week, works late-night sessions in his Capitol Mall office and looks forward to taking on new cases whenever they emerge.

The Essentials

Malcolm Segal

Age: 74

Education: B.A., City College of New York; JD, St. John's University School of Law

Career: CEO, Segal & Associates, 2014-present; counsel, [Segal & Kirby](#), 1985-2014; counsel, Blackmon, Wasserman & Segal, 1982-1985; counsel, Ochoa & Barbosa, 1980-1982; Sacramento chief assistant U.S. attorney, 1977-1980; San Francisco assistant U.S. attorney, 1975-1977; special attorney in charge, DOJ Anti-Drug Task Forces, Texas and Los Angeles, 1972-1975; Manhattan assistant district attorney, 1968-1972.

Personal: "The year I became an attorney, I married [Melanie Segal](#), then an [IBM](#) programmer with a master's degree in mathematics and now a fitness instructor. We travel, enjoy Sacramento and the Kings and, like most families, our children and our grandchildren are our vocation and hobby."

An attribute every defense attorney should possess: "Defense attorneys must have the open-mindedness to trust and believe in their clients because there will always be an ample supply of people who will want to attack them."

Scott Rodd

Staff Writer

Sacramento Business Journal

