



PROMOTER IN HOT WATER OVER BOXER WITH HEPATITIS



JOE DeGUARDIA

JOE DEGUARDIA'S LICENSE COULD BE AT RISK

By Jack Newfield and Wallace Matthews

and

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THE busiest boxing promoter in New York may be in danger of losing his license for letting a boxer fight even though he had tested positive for Hepatitis C.

The New York State Athletic Commission is probing allegations that Joe DeGuardia, who promotes monthly shows at Yonkers Raceway, squashed a medical report on welterweight Jose Maldonado to hold together a May 16 bout between Maldonado and Luis Collazzo, a fighter DeGuardia wants to sign to a promotional deal, a commission source said.

Collazzo knocked out Maldonado in the first round in a fight so non-competitive that it resulted in the suspension of Maldonado's boxing license.

But because of his medical condition, Maldonado should never have been allowed to step into the ring.

Boxers who test positive for Hepatitis B, Hepatitis C or HIV are permanently suspended from boxing in New York, Nevada, New Jersey and California because of the danger of transmission through blood or saliva.

According to a former DeGuardia employee, DeGuardia's office received the positive test result on Maldonado — a late substitute who had been added to the card the day before — about two hours before the show was to start.

The employee relayed the results by phone to DeGuardia, who she says replied, "No, no, no, I'm not supposed to know that," and turned the phone over to Jim Borzell, his match-maker.

Borzell instructed the employee to bring the results of the blood test to Yonkers, but to conceal them in her purse until she was asked to produce them.

The Post listened to a tape-recorded phone conversation in which Borzell is heard admitting his knowledge of the test result in advance of the fight: "We didn't offer them [the blood-test results] to the commission, and the commission didn't ask."

A copy of the lab report obtained by The Post shows the report was received by the fax machine in DeGuardia's office at 4:42 p.m. the day of the fight. The bout, the last on the card, didn't start until 10:30 p.m.

Asked for comment, Borzell first replied: "Talk to my boss."

"I knew nothing about this before the fight," said his boss, DeGuardia. "This is the kind of situation Jim is supposed to handle with the commission. I can't say what [Borzell] did or didn't do [with the test result]."

After Collazzo knocked out Maldonado in the first round — his third straight first-round KO loss — NYSAC director of boxing Bob Duffy recommended that Maldonado's license be suspended indefinitely.

"He did not appear to have any of the skills necessary to fight at the professional level," Duffy wrote in a letter to FightFax, boxing's official records-keeper, in recommending the suspension.

If NYSAC determines DeGuardia knew about Maldonado's condition before the fight, the promoter could join the fighter on the suspended list.

"Something would have to be done," a commission source said. "He'd have to be suspended. It violates our medical rules."

Hepatitis C is highly contagious and kills about 10,000 Americans every year. It damages the liver and shortens life expectancy.

In a 1971 fight at Madison Square Garden, Bobby Cassidy entered the ring against Rodrigo Valdes with an undiagnosed case of Hepatitis C.

He transmitted it to Valdes during their bloody match. As a result, both fighters had to remain inactive for eight months while they recuperated.

In 1998, U.S. Surgeon General David Statcher called Hepatitis C a "grave threat to our society."

The allegation against DeGuardia is the latest threat to his developing boxing empire.

The Post has obtained a copy of a letter written by lawyer Thomas Harvey on behalf of boxer Elvir Muriqi to the NYSAC in April alleging that "DeGuardia has violated numerous commission rules," including acting as an unlicensed promoter and serving as a promoter and a manager at the same time with various fighters.

Harvey's complaint charged, "DeGuardia has violated commission rules with impunity for a number of years, and the commission must investigate this matter to protect the integrity of professional boxing in New York."

He asked that DeGuardia's license be revoked or suspended.

This complaint was filed on behalf of preliminary boxer Muriqi, who is trying to break his contract with DeGuardia.

Records also indicate DeGuardia is still acting as both the promoter and the manager of heavyweight Monte Barrett, in violation of commission rules.

DeGuardia has acknowledged that he is Barrett's promoter.

His former employee says she faxed a document to German promoter Peter Kohl for DeGuardia three weeks ago in which DeGuardia named himself as Barrett's manager as well.

As manager, he is entitled to 33 percent of Barrett's earnings for the fight, which should be at least \$200,000.

DeGuardia was negotiating a lucrative fight between Barrett and Wladimir Klitschko on the Lennox Lewis-Frans Botha heavyweight championship card scheduled for July 15 in London.

Contacted by The Post, DeGuardia first dismissed all the charges as part of a conspiracy to destroy him and his burgeoning empire.

"This is a ridiculous, [messed up] thing," DeGuardia said. "It's all being fueled and started by an employee I fired who is aligned with a manager that I am embroiled in a major, major lawsuit with. It's just frigging wrong, what's going on."

Late Friday, DeGuardia's lawyer, Scott Gelfand, faxed The Post sworn affidavits taken from Borzell and DeGuardia that day.

In his affidavit, DeGuardia said he had no knowledge of any fighter in the May 16 show having any medical problem. He also contended he has never seen any report of a fighter with a blood infection.

In his affidavit, Borzell said DeGuardia was not involved in "any aspect of the blood testing" for the Maldonado fight. Borzell said he didn't speak to DeGuardia about any blood test until June 5.