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Adviser in Tawana Brawley Case Pays Off Defamation Award

By ALAN FEUER

More than two years after he was found to have defamed a former prosecutor in the Tawana Brawley case, Alton H. Maddox Jr. has finished paying off a $95,000 damage award against him.

The prosecutor, Steven A. Pagones, a former Dutchess County assistant district attorney, received a payment from Mr. Maddox of just over $39,000 on Monday, Karen Blaustein-Birchler, one of Mr. Pagones's lawyers, said yesterday. In 1998, a jury in Dutchess County decided that Mr. Maddox, the Rev. Al Sharpton, C. Vernon Mason and Ms. Brawley had defamed Mr. Pagones by wrongly accusing him of being one of a group of men who abducted and raped Ms. Brawley over several days in 1987.

Last year, Mr. Maddox vowed that he would fight to overturn the verdict in appellate courts and would not pay "one red penny" to Mr. Pagones, but the state's highest court later ruled that Mr. Maddox had failed to provide information necessary for an appeal.

In November 1987, Ms. Brawley, then 15, was found inside a plastic bag behind an apartment house in Wappingers Falls, in Dutchess County. The authorities found her curled in a fetal position, with feces and racial epithets on her body.

Mr. Pagones was accused by Mr. Sharpton, Mr. Mason and Mr. Maddox — civil rights advocates who rallied to Ms. Brawley's side as advisers — of abducting and raping the girl. The next year, a special state grand jury exonerated Mr. Pagones, suggesting that Ms. Brawley had concocted a hoax to avoid punishment by her stepfather for being out without permission. The grand jury also implied that Ms. Brawley's advisers had allowed the case to mushroom into a national cause despite indications that her account was dubious.

Mr. Pagones filed a $395 million defamation suit in October 1988 against Ms. Brawley and her three advisers. Ms. Brawley never answered the suit, and in 1991 a judge ruled that Mr. Pagones had won his case against her by default.

In July of 1998, after an eight-month trial, a jury found that Mr. Pagones had been defamed and awarded him a total of $345,000 damages from the three advisers: $185,000 from Mr. Mason, $95,000 from Mr. Maddox, and $65,000 from Mr. Sharpton.

Three months later, the judge who presided over that trial awarded Mr. Pagones an additional $185,000 from Ms. Brawley, but Mr. Pagones's lawyers have been unsuccessful in locating her or finding any assets she might have.

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Alton H. Maddox vowed last year that he would not pay a libel award.

Mr. Sharpton paid off the judgment against him in June with the help of a group of supporters that included Percy E. Sutton, the former Manhattan borough president, the lawyer Johnnie L. Cochran Jr. and Earl Graves Jr., the president of Black Enterprise magazine.

The check that satisfied Mr. Maddox's debt was signed by John Beatty, the owner of the Cotton Club, a nightclub in Harlem, according to Garry Bolnick, another of Mr. Pagones's lawyers. "It was pulling teeth, but we got it," Mr. Bolnick said.

Mr. Mason, a disbarred lawyer who is now a Baptist minister, has paid about $7,000 of the judgment against him.

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