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Disclaimer: In reviewing books, I may choose works in which I have a financial interest. I believe that I will still be able to maintain objectivity but judge for yourselves.

Important Policy: This blog is intended only for the interchange of ideas for the purpose of Torah study, promoting enlightened public policy and/or the refinement of character. Comments in that spirit are welcome but those that entail denigration of character are not welcome and if they appear will be deleted upon discovery. Since editing is rarely feasible, comments that are deemed inappropriate will be deleted entirely or, if possible, edited.

Friday, March 23, 2007

Le Marais - Kosher According to the OU

It seems that there has been some allegations against [Le Marais](#) but the [OU](#) has investigated and insists that it is kosher: [link](#). So eat, drink and be merry there.

(The allegations: [link](#))

- posted by [Gil Student](#) @ [Comments \(80\)](#) @ 20:20 3/27/07

<http://hirhurim.blogspot.com/2007/03/le-marais-kosher-according-to-ou.html>



- Chef was fired by Levanas Restaurant (also under OU) for kashrut reasons prior to working at Le Marais
- Prior to the chef's employment at Le Marais I was warned by the "Rav Hamachshir (R. Schreier)" that this chef is a Sonay Yisrael (jew hater).
- Chef Spikes food and smuggles non-kosher and dairy ingredients on a number of occasions
- Rabbis at OU work to cover-up the situation
- OU scoffs at long list of infractions committed by the chef

KASHRUT ALERT

IT IS MY DUTY TO INFORM THE PUBLIC ABOUT THE KASHRUT CORRUPTION TAKING PLACE AT **LE MARAIS** RESTAURANT IN MANHATTAN. AFTER SPENDING THE LAST 7 MONTHS TRYING TO HAVE THE **OU** RESOLVE THE GRAVE KASHRUT DAMAGE AT LE MARAIS AND CONTINUOUS THREAT POSED BY A JEW HATER CHEF (WHO WAS FIRED FROM LEVANA'S KOSHER RESTAURANT, ALSO UNDER **OU** SUPERVISION).

HIS NUMEROUS ACTS OF KASHRUT SABOTAGE INCLUDE SMUGGLING DAIRY MARGARINE, PLANTING BIG BEETLES IN THE SALAD,IGNITING THE PILOT ON HIS OWN, AND EVEN ORDERING SHELLFISH AT ONE TIME . I HAVE JUST RESIGNED FROM MY POSITION AS THE MASHGIACH AT THAT RESTAURANT AFTER WORKING THERE FOR TWO AND A HALF YEARS. DESPITE THE CHEF'S CONTINUOUS KASHRUT DESECRATION AT LE MARAIS, THE **OU** (UP TO THE HIGHEST ECHELONS) CONTINUES TO ENDORSE A COVER-UP OF THE FACTS TO PROTECT THEIR BUSINESS INTERESTS.

THIS COVER UP WAS INITIATED BY NONELESS THAN THE **RAV HAMACHSHIR** HIMSELF AFTER HE ALLOWED THIS CHEF TO BE HIRED BY **LE MARAIS**.

As painful as it is for me, I have no other choice than to speak out in public about this grave situation which extends beyond the incidents with this particular chef as it exposes the OU's dishonesty and callousness towards the kashrut and its customers. The numerous letters and e-mails I have been sending to the OU will speak for themselves about my repeated efforts to keep this Kashrut crisis away from the public.

Reluctant to admit to any wrongdoing on the part of the Rav Hamachshir, and to enforce standards with restaurant owners at the risk of popularity, the OU adopted a policy of denials, distortions and dismissals of this case. The stubborn decision of the OU to reject blatant proofs of their Rav Hamachshir's cover-up at all costs, had me sadly conclude that this cover up after all needs to be exposed to the public.

Having witnessed this cover up in the making and especially after receiving an "Intimidation letter " from the Rav Hamachshir once I started to be vocal with the owner about the chef's Kashrut violations and the fact that he could not be trusted, I had no other alternative but to record my conversations with all parties involved in this cover-up (I will release these recordings as necessary).

Included is the intimidation letter"(not on a OU letterhead) designed to scare me into being silent about the chef's kashrut transgressions at Le Marais and his equally disturbing past at Levana's or risk losing my job.

The letters-reports and e-mails I wrote to the OU about this sad affair and their evasive responses are self explanatory but since this correspondence is quite voluminous I thought it would be just easier to go to what I titled "Right To The Point" in order for you to get the idea. People who want the full details will have access to what I titled "The Whole Correspondence" as well as forthcoming updates (regarding the shellfish order).

There is no doubt all parties involved in that cover-up are going to continue denying everything . After trying so hard to discourage me with intimidations, personal insults, reverse psychology schemes (pretending "it's personal") and what not, their only refuge is denial in order to hide their respective agendas. What the owner is also capable of doing to hold on to his chef is just incredible, (EIN EMUNA BAGOY especially applies to him).The bottom line of this affair is: **COWARDICE OF A HASHGACHAH ORGANIZATION SCARED TO TAKE ACTION AGAINST A BULLY JEW HATER CHEF (BECAUSE HE HAS "DIRT" ON ANOTHER OU ESTABLISHMENT) EVEN IF IT MEANS TO GIVE THIS CHEF AN OPEN TICKET TO FOOL THE MASHGICHIM UNDER THEIR NOSES.** I paid with my own position in order not to let this Mockery of Kashrut continue. I will now let the people do their part to stop that nonsense.

With G-d's help we will prevail.

Sincerely,

Isaac Bitton

****[View the REPORT sent to the OU](#)****

P.S. For any questions, refer to my blog www.amashgiachspeakout.blogspot.com and I will address all concerns collectively.

Below are the emails that I sent to the OU throughout this ordeal.

Dear Rabbi Luban,

Thank you for your response. While I appreciate the time you invested, you failed to address the most salient issues of pertinence to this crisis Please find my response (distinguished by capital letters) pasted below your comments. It is still my hope that this issue can be fully resolved without reaching the public eye

On 12/27/06, Luban, Yaakov <lubany@ou.org> wrote:

> Dear Rabbi Bitton:

> We are in receipt of your most recent communication about the executive chef in Le Marais, who you accuse of intentionally attempting to undermine the OU Kashrus program. In addition, you accuse Rabbi Dov Schreier of purposefully engaging in a cover-up of this matter. Since I was directly involved in this matter, Rabbi Genack reviewed your letter with me and asked that I respond.

IT IS TRUE THAT WHEN I RAISED MY CONCERNS AND KNOWLEDGE ABOUT THE CHEF, YOU EXHIBITED CONCERN. ALTHOUGH RABBI SCHREIER SET UP THAT MEETING TO INTIMIDATE ME, YOU ASSURED ME THAT "WE DO NOT WANT TO PROTECT SUCH PEOPLE" AND STIPULATED THAT RABBI SCHREIER WOULD HAVE TO HAVE THE CHEF DISMISSED IF THERE WAS ANOTHER INFRACTION. UNFORTUNATELY, DESPITE THE CHEF'S BLATANT EXPOSURE FOR LYING ABOUT KASHRUT THIS AGREEMENT WAS NOT ENFORCED.

> Rabbi Elefant and I invested a great deal of time and effort to review the details of this situation. We attempted to give you ample opportunity to present your case.

THE SECOND MEETING WAS CALLED BY RABBI SCHREIER TO INFORM ME THAT THE CHEF WOULD REMAIN IN HIS POSITION AND THAT I WAS TO KEEP QUIET. IT WAS ONLY WHEN I EXPOSED RABBI SCHREIER'S FOREKNOWLEDGE (WHICH HE DENIED AND LATER RETRACTED) OF THE CHEF'S BEING FIRED AND HIS APPROVAL OF THE CHEF'S HIRING AT THE MARAIS NONETHELESS, AS WELL AS HIS CONSTANT LACK OF ENFORCEMENT, YOU INTRODUCED RABBI ELEFANT TO THE MEETING. CLEARLY YOU WERE BOTH DISTURBED BY THIS CLAIM AND RABBI ELEFANT REQUESTED THAT I SUBMIT A WRITTEN REPORT DETAILING THE SITUATION.

> We met with you on a number of occasions and even arranged a face-to-face meeting with yourself and Jose, the owner of the restaurant.

REGRETTABLY, RABBI ELEFANT'S REQUEST FOR MY REPORT WAS SEEMINGLY A STALL FOR TIME, BECAUSE I DID NOT RECEIVE ANY RESPONSE FROM HIM, NOR FROM ANYONE AT THE OU, ADDRESSING THE CONCERNS I RAISED. IN FACT, I NEVER RECEIVED ANY WRITTEN OR TELEPHONE RESPONSE TO ANY OF MY COMMUNICATIONS UNTIL I INITIATED AND INSISTED THAT ANOTHER MEETING BE HELD. I WAS WILLING TO ADDRESS THE RESTAURANT OWNER IN YOUR PRESENCE BUT I DID NOT ANTICIPATE THAT MY CONCERNS WOULD NOT BE ADDRESSED AHEAD OF TIME (ESPECIALLY CONSIDERING THAT THE RESTAURANT OWNER IS NOT JEWISH AND CANNOT APPRECIATE THE RAMIFICATIONS OF THE THREAT NOR DO I BELIEVE THAT A NON-JEW SHOULD BE EXPOSED TO INTERNAL DISCREPANCIES WITHIN THE OU AS THIS WOULD NOT SET THE RIGHT IMAGE).

SEEING AS RABBI ELEFANT REQUESTED A FULL REPORT AND ASSURED ME THAT IT WOULD BE "TAKEN VERY SERIOUSLY" I WAS CONVINCED YOU WOULD MEET WITH ME FIRST. NEVERTHELESS, I MADE A POINT OF NOT DENOUNCING RABBI SCHREIER IN THE MEETING, ALTHOUGH THIS IS WHERE THE DISCREPANCY IS ROOTED.

RATHER THEN ADDRESSING THE CRITICAL THREAT TO KASHRUT, WHICH IS THE CHEF'S MOST RECENT VIOLATION, ESPECIALLY IN LIGHT OF HIS PROBATION STATUS, RABBI ELEFANT DISMISSED ALL OF MY CONTENTIONS, CUT ME OFF MID-SENTENCE, IGNORED MY REQUEST TO CALL RABBI KELLER (TO VERIFY MY ACCOUNT OF HOW THE CHEF WAS EXPOSED LYING) AND CUT THE WHOLE MEETING SHORT.

RATHER THAN SETTING THE EXAMPLE AND SHOWING A UNITED FRONT, THE OU UNDERMINED THE CREDENCE OF THEIR OWN MASHGIACH IN FRONT OF A NON-JEWISH CLIENT. WITH ALL DUE RESPECT, TO YOU AND RABBI ELEFANT I MUST ASSERT THAT YOUR APPROACH WAS ONE OF SKILLFULL AVOIDANCE, NOT "AMPLE OPPORTUNITY."

> In addition, I personally went to the restaurant and met the chef in question, as well as the other full time mashgiasch.

DID YOU REALISTICALLY EXPECT HIM TO CONFESS TO YOU ON THE SPOT? WHAT WERE YOU HOPING TO GAIN? IF YOU WERE GENUINELY INTERESTED IN FINDING OUT WHO HE IS, I CAN SUGGEST MANY WAYS OF FURTHERING YOUR RESEARCH, INCLUDING HEARING WHAT I HAVE RECORDED.

> Rabbi Elefant and I carefully evaluated the situation.

DID YOU INVESTIGATE THE ABSURD ACCOUNT REGARDING A DELIVERY OF SHELLFISH? AND WHY RABBI SCHREIER CITED IT IN HIS LIST OF THE CHEF'S MISDEMEANORS WHEN I DID NOT IMPLICATE THE CHEF? DID YOU CALL THE KITCHEN WORKER M.? I GAVE YOU HIS NUMBER TO VERIFY MY TESTIMONY.

DID YOU CORROBORATE MY TESTIMONY WITH RABBI KELLER THAT THE RESTAURANT OWNER (ALBEIT) RELUCTANTLY OFFERED TO FIRE THE CHEF AFTER HIS LIES WERE EXPOSED? THIS IS A CRUCIAL POINT, IT SHOWS THAT THE OWNER WITNESSED FIRST HAND THE CHEF BEING EXPOSED FOR HIS LIE, AND HAD NO CHOICE IN A MOMENT LIKE THAT BUT TO OFFER TO DISMISS HIM.

NEITHER YOU NOR RABBI ELEFANT ATTEMPTED TO ADDRESS THE CHEF'S DISDAINFUL RECORD, RABBI SCHREIER'S NEGLIGENCE IN HIRING HIM, OR THE NON-ENFORCEMENT OF THE PROBATION AGREEMENT.

UNFORTUNATELY ONLY MY IMPLICATION OF RABBI SCHREIER'S COVER-UP EVOKED YOUR CONCERN RATHER THAN THE CRITICAL ISSUE OF KASHRUT DUE TO THE REPEATED SABOTAGE BY THE CHEF.

LIKE I SAID IN MY RECENT LETTER, THIS COULD HAVE BEEN A VERY SIMPLE MATTER. INSTEAD, YOU ARE CHOOSING TO EXPEND ENERGY TO "BACK UP YOUR MAN" WHO I DID NOT WISH TO IMPLICATE AT ALL, BUT WHO IS WILLING TO RISK THE INTEGRITY OF KASHRUT UPON THOUSANDS OF JEWS, RATHER THAN ELIMINATING THE THREAT.

> Neither one of us have any vested interest in this matter, nor is there any financial consequence to the OU if the chef remains or not.

THAT IS AN OVERLY SIMPLISTIC TREATMENT OF A CONVOLUTED SUBJECT. FOR STARTERS, IN ADDITION TO WALKING ON EGGSHELLS IN HIS ATTITUDE WITH THE MARAIS' OWNER, RABBI SCHREIER IS AFRAID OF THE CHEF. THE CHEF EMPLOYED BLACKMAIL WHEN HE WAS FIRED FROM LEVANA'S (AND WOULD NOT FAIL TO DO SO HERE) WHICH IS WHY HE WAS NOT DENOUNCED BY LEVANA'S AND PREVENTED FROM BEING REHIRED IN THE KOSHER INDUSTRY. THIS IS ALSO WHY HE WAS APPROVED OF BY RABBI SCHREIER WHEN THE RESTAURANT OWNER INNOCENTLY CONTACTED HIM TO DO A BACKGROUND CHECK (KNOWING HE HAD PREVIOUSLY WORKED IN THE OU ESTABLISHMENT), THOUGH TO RABBI SCHREIER'S CREDIT HE DID WARN ME TO "KEEP AN EYE ON THE CHEF; HE IS A SONAY ISRAEL".

YOUR ENTIRE LETTER IS IN FACT AN ATTEMPT TO BRUSH OVER THE ISSUES, THINKING YOU CAN PLACATE AN HONEST MASHGIACH RATHER THAN REMOVE A CONNIVING CHEF.

> In the final analysis, in our opinion, the substantive information that you presented did not adequately support your contention that the chef deliberately and intentionally sought to undermine the Kosher program at Le Marais.

THE INCIDENT OF DAIRY MARGARINE IS EXACTLY WHAT GAVE YOU THE INCENTIVE TO ASK RABBI SCHREIER TO ISSUE THE DOCUMENT OUTLINING ALL VIOLATIONS THAT WERE COMMITTED AFTER THAT INCIDENT. ON THE TAPE, TALKING ABOUT IT, WE HEAR YOU SAY TOGETHER WITH RABBI ELEFANT "WE DIDNT GIVE HIM THE BENEFIT OF THE DOUBT" OPENLY ADMITTING THE GRAVITY OF HIS ACT!! THIS, YOU DONT CALL INTENTIONALLY UNDERMINING THE KASHRUT AT LE MARAIS??

WHAT ABOUT ANOTHER EXAMPLE, WHEN THIS CHEF REPEATEDLY LIT THE PILOT HIMSELF, AND I CAUGHT THE KITCHEN STAFF DOING IT AS WELL BECAUSE HE HAD SET THE EXAMPLE FOR THEM? WHAT DO YOU CONSIDER THAT?

I FIND IT IRONIC THAT THE AMPLE EVIDENCE PROVIDED, DOCUMENTED IN MY PRIVATE TIME, IS NOT SUFFICIENT TO WARRANT A REAL EXAMINATION ON THE PART OF THE OU, RATHER THEN PLAYING WITH WORDS. YOU HAVE NOT EVEN SCRATCHED THE SURFACE (PERHAPS YOU PREFER NOT TO FIND OUT THE TRUTH). INSTEAD YOU ARE PROMOTING THE ATTITUDE OF HEFKERUT AND SEVERE LACK OF ACCOUNTABILITY I HAVE ENCOUNTERED FROM THE BEGINNING.

> Though every infraction is serious, the frequency of the incidents and the severity of the violations did not warrant the dismissal of the chef.

THIS IS IN DIRECT CONTRADICTION TO THE CONCLUSION YOU YOURSELF DREW AT OUR FIRST MEETING. YOU ASKED RABBI SCHREIER TO ISSUE A DOCUMENT PLACING THE CHEF ON PROBATION, OUTLINING ALL OF THE CHEF'S MISDEMEANORS, AND THREATENING TO DISMISS HIM UPON NEXT INFRACTION.

IS THIS NO LONGER VALID?

INCIDENTALLY I HAD TO REPEATEDLY REMIND RABBI SCHREIER (FOR CLOSE TO TWO MONTHS AFTER OUR MEETING) THAT THE DOCUMENT BE ISSUED.WHEN IT WAS FINALLY ISSUED, BY HASHGACHA, THE CHEF WAS EXPOSED FOR LYING, YET THIS WAS COMPLETELY IGNORED.

DO YOU MEAN TO SAY THAT A CHEF THAT WAS PREVIOUSLY FIRED FOR KASHRUT REASONS AMONG OTHER THINGS, AND WHO CONSCIOUSLY SMUGGLES DAIRY MARGARINE AND REPEATEDLY DEFIES KASHRUT PROTOCOL AT EVERY POSSIBLE OCCASION AT LE MARAIS (AND WHAT HE MUST HAVE DONE WITHOUT BEING CAUGHT ONLY HASHEM KNOWS) DOES NOT WARRANT SERIOUS REPRISAL?

SO, TELL ME, WHAT CONSTITUTES A VIABLE THREAT??????
ISN'T IT SOMETHING INCREDIBLE TO HEAR YOU SAY IN UNISON (THE THREE RABBIS TOGETHER) "WE ALL KNOW THAT THE CHEF LIED" AND YET THIS FOR YOU DOESN'T WARRANT THE DISMISSAL OF THE CHEF?

> Significantly, the other Mashgiach at the restaurant does not share your opinion about the chef, nor has he ever had any problems with him.

FOR YOUR INFORMATION, IT IS RABBI KELLER WHO FIRST CAUGHT THE CHEF RED-HANDED, (MIXING FISH INGREDIENTS IN MEAT SOUP, AS WELL AS DISCOVERING THE DAIRY MARGARINE THAT WAS SMUGGLED IN) AND ALERTED ME THAT "HE IS SLY."

WHILE BEING A RESPONSIBLE MASHGIACH "ON THE JOB" RABBI KELLER PREFERS TO SAY THE LEAST POSSIBLE IN ORDER NOT TO JEOPARDIZE HIS POSITION. IN LIGHT OF RABBI SCHREIER'S CONTINUOUSLY WHITEWASHING THE CHEF ON EACH INCIDENT, AND TRYING TO INSTIGATE ME TO LEAVE, RABBI KELLER CHOSE NOT TO TAKE RESPONSIBILITY FOR THE OVERALL SITUATION, ESPECIALLY SINCE THE MAJORITY OF VIOLATIONS OCCURRED DURING MY SHIFT. LET ME QUOTE (ON TAPE) RABBI SCHREIER HIMSELF ABOUT RABBI KELLER'S SUSPICIONS, THE FOLLOWING IS HIS EXACT LASHON; "THE FACT THAT YOU'RE MORE SUSPICIOUS AND HE WATCHES OUT AND KEEPS HIS EYE ON IT AND HE DOESN'T EXPRESS IT AS STRONGLY AS YOU DO DOESN'T MEAN THAT HE DOESN'T HAVE THE SAME "KSHUFA". HE JUST DOESN'T WEAR IT ON HIS SLEEVES.

> We also did not find any evidence that Rabbi Schreier is involved in a cover-up

PERHAPS YOU HAVEN'T LOOKED.

IGNORING COMMON SENSE AND BASIC HASHGACHA PROTOCOL IN A DESPERATE ATTEMPT TO COVER HIS OWN BACK, RABBI SCHREIER DID NOT CONTACT ME (DEFYING THE PURPOSE OF HAVING A MASHGIACH ON SITE) TO VERIFY DETAILS ABOUT THE LYING/STRAWBERRY INCIDENT BEFORE HIS REINSTATING THE CHEF. HE CONTRADICTED HIMSELF REPEATEDLY IN YOUR PRESENCE, AND IN MANY PHONE CONVERSATIONS, WHICH I HAVE RECORDED. HE DENIED HAVING ISSUED ANY WARNING AFTER THE DAIRY MARGARINE INCIDENT (SINCE ADMITTING TO THAT, WOULD CORROBORATE MY CONTENTION THAT THE CHEF SHOULD BE FIRED) YET THE RESTAURANT OWNER CONFIRMED THAT RABBI SCHREIER DID ISSUE A WARNING. IN YOUR PRESENCE, AT OUR SECOND MEETING RABBI SCHREIER VEHEMENTLY DENIED THAT HE KNEW AHEAD OF TIME THAT THE RESTAURANT OWNER WAS THINKING OF HIRING THIS CHEF WHO WAS FIRED FROM LEVANA'S, YET THE FACT THAT THE RESTAURANT OWNER CONSULTED WITH HIM AHEAD OF TIME WAS CONFIRMED BY JOSE HIMSELF WITH ME ON SEVERAL OCCASIONS AND IN OUR LAST MEETING.

> and our past experiences with Rabbi Schreier indicate that he is a person of great integrity and religious commitment.

AS I STATED IN MY EMAIL, I PERSONALLY ATTEST THAT RABBI SCHREIER IS A VERY NICE MAN. I HAVE NO DOUBT THAT HE IS A "BEN TORAH" WHO WISHES THAT ALL HIS ENDEAVORS IN KASHRUT GO SMOOTHLY. I CERTAINLY DID NOT SEEK TO UNDERMINE HIM IN FRONT OF HIS SUPERIORS. UNFORTUNATELY, HE GOT TRAPPED IN BAD DECISION-MAKING WHEN HE ALLOWED THIS CHEF IN AT LE MARAIS 2-1/2 YEARS AGO. WANTING TO HIDE HIS FAILURE AT ALL COST, IS AT THE CORE OF THIS WHOLE CRISIS.

> You are certainly entitled to your opinion, but we are surprised and dismayed that you consider your viewpoint to be the only one with any validity.

IT IS I WHO IS DISMAYED. YOUR LETTER/RESPONSE SEEMS TO BE A GAME OF PR RATHER THAN A KASHRUT INTERVENTION.

> We hope that you will reconsider your decision to publicize your personal opinion and

MY REPEATED ATTEMPTS TO COMMUNICATE WITH THE OU OVER THE COURSE OF SIX MONTHS TO RESOLVE THIS MATTER AMPLY DEMONSTRATES THAT MY ONLY GOAL, AND IN FACT, MY DUTY, IS TO BE PROACTIVE AND PREVENT SUCH AN OUTCOME FROM HAPPENING. I FIND YOUR ATTEMPT TO REDUCE THIS TO MY PERSONAL OPINION, INAPPROPRIATE AND ABERRANT. THOSE WHO WORKED WITH THIS CHEF AT LEVANA'S FOR OVER TWO YEARS, ARE BY FAR THE MOST ADEQUATE TO TESTIFY ABOUT HIM, THEY WERE QUICK TO CONFIRM THAT "HE IS ROTTEN," "HE WAS FIRED FOR KASHRUT REASONS AMONG OTHER THINGS," "HE WAS KNOWN TO CURSE JEWS" AND IN RABBI SCHREIER'S OWN WARNING BEFORE THE CHEF ACTED OUT "HE IS A SONAY ISRAEL" THIS WAS ALSO ECHOED BY MANY CONCERNED CUSTOMERS.

> publicly malign Le Marais

IT IS A FOLLY OF THE OU TO SUPPORT THE RESTAURANT OWNER IN WANTING TO KEEP HIS CHEF, FOR THIS HAS ONLY BLURRED HIS VISION TOWARDS HIS OWN RESPONSABILITIES. HE JUST CANNOT FEIGN IGNORANCE OF HIS OWN MORAL DUTY TOWARDS HIS JEWISH CUSTOMERS, BY CONCIIOUSLY MAINTAINING A CORRUPTED CHEF. HE IS WILLING TO TAKE RISKS (AS HE OPENLY ADMITTED TO ME) WITH A CHEF HE KNOWS TOO WELL IS PROBLEMATIC. HE THEREFORE WILL BE HELD ACCOUNTABLE FOR HIS RISK-TAKING.

> and members of the OU staff.

I'M CERTAINLY NOT AT WAR WITH THE OU CHAS VESHALOM, AND AS I HOLD THE OU IN HIGH REGARD, I DO NOT CLAIM THIS TO BE A GENERAL PATTERN OF THE OU IN REGARD TO ITS CONDUCT IN ITS OTHER KASHRUT VENTURES. YET, WHEN A CHEF LIKE THIS ONE, GETS AWAY CONTINUOUSLY WITH ANY VIOLATIONS HE COMMITS BECAUSE THE RAV HAMACHSHIR FORCIBLY TURNS HIS BACK ON THEM, THIS IS HEFKERUT IN KASHRUT, IT CANNOT BE IGNORED, I FOR ONE, WILL NOT REMAIN SILENT UNTIL THE CHEF IS REMOVED.

PLEASE, DO NOT UNDERESTIMATE MY DETERMINATION. THIS CORRUPT CHEF CANNOT BE KEPT AT LE MARAIS OR ANY OTHER KOSHER INSTITUTION. I WILL HAVE NO CHOICE BUT TO ALERT THE PUBLIC IF THIS CHEF IS NOT REMOVED FROM LE MARAIS. AGAIN, I AM WILLING TO DO THIS AT THE EXPENSE OF MY POSITION. NOT ONLY DO I OWE THIS DUTY TO THE MANY FRIENDS THAT FREQUENT LE MARAIS BUT ALSO TO ANY JEWISH CUSTOMER THAT PUTS THEIR TRUST ON ANY OF US MASHGICHIM.

I WOULD BE HAPPY TO SHARE THE TESTIMONY I HAVE RECORDED, UNLESS OF COURSE YOU PREFER NOT TO HEAR IT (AND MAINTAIN A STATE OF DENIAL). I AM NOT WILLING TO EXPAND ENERGY ON UNFRUITFUL DIALOGUE. PLEASE CONTACT ME REGARDING THIS MATTER IF YOU DECIDE TO CHANGE YOUR POSITION.

RESPECTFULLY YOURS,

ISAAC BITTON

Attention Rabbis Weinreb and Genack.

I would like to bring to your attention a Kashrut Crisis which should be taken into your hands. As a Mashgiach at the Marais for two and half years who has witnessed a scandal in the making, I am prepared to go to any length to a) resolve the issue directly with the OU or b) take the issue to the public. What could have been a simple matter had it been addressed from the get-go has turned into an unnecessary cover-up. Based on the current chef's troublesome past, and his repeated attempts to defile Kashrut at the Marais (see my former letters), I repeatedly alerted Rabbi Shreier and eventually Rabbi Luban. Rabbi Luban demanded that Rabbi Shreier issue a document outlining the chef's misdemeanors and place him on probation, following which the chef acted out again and was confronted as an outright liar by his fellow staff. The owner agreed to fire the chef on the spot, but unfortunately, Rabbi Shreier took a cowardly stance and reinstated the chef, rather than dismissing him as decided. The Marais' owner was prepared to do whatever Rabbi Shreier said, but instead of standing up for kashrut Rabbi Shreier covered for a non-jew (who Rabbi Shreier himself called a Jew-hater as soon as he was hired). Obviously this is an irrational decision. The chef cannot be trusted under any circumstances and it is only matter of time before this scandal reaches the public. The only temporary benefit is perhaps to alleviate Rabbi Schreier's guilt for having allowed the chef to be hired in the first place, when the Marais owner explicitly checked with him (see my former letters).

Rabbi Shreier repeatedly contradicted himself in the presence of Rabbi Luban and Rabbi Elefant, claiming he "didn't know" about the chef being hired, or about the chef's shady past then changing his claim, stating he "forgot that he knew" which I have recorded, along with other conversations which I am prepared to give to a third party. I have no intention of denouncing Rabbi Shreier. Rabbi Shreier is a nice man, but it requires more than a nice man to perform this job. It is my duty however, to denounce the chef, having witnessed his schemes firsthand. I would hate to be in a position of denouncing the OU, but what has developed in this situation is a policy of outright dismissal and total Hefkerut, rather than the simple action (ie removing the chef) needed to maintain Kashrut.

This email represents my LAST attempt to address this matter with the OU. I have taken every avenue to avoid bringing this into the public forum, for the sake of preventing another scandal (which our community has certainly had enough of). I hope that this email will open a door to positive results and this matter will be resolved BE"H.

Respectfully yours,

Isaac Bitton

P.S. Attached you will find my previous correspondence with Rabbis of the OU.

Dear Rabbi Luban

- It was enough of a deception to have witnessed, from the beginning, a complete lack of Kashrut enforcement by Rabbi Schreier concerning the current chef

- Another deception to have witnessed how Rabbi Elefant endorsed Rabbi Shreier's cover up (at the deplorable OU meeting in mid december 06) by replying instead of him to a serious matter and making a mockery out of it.

- Yet another deception to see clearly the behind the scenes games and politics of the OU with your evasive e-mails and Rabbi Genack's accidental e-mailing to me a month ago.

- And yet another great deception (last week in my meeting with you) to witness with how much ease and expertise you again managed to ignore and dismantle basic and blatant proofs of a) Rabbi Schreier's cover up b) The terrible past and present misdemeanors of the current chef of Le Marais.

- You did hear (on the tape) Mrs Levana Kirshenbaum clearly describing that this chef was indeed fired from Levana's! This is a big blow to your own assertion that Mrs Levana Kirshenbaum "denied having any knowledge about the chef." It is also a big blow to Sol & Avraham Kirshenbaums' continuous claims that the chef left on his own (as I mentioned in my report in November06) as was repeatedly reasserted by Rabbi Schreier. When I spoke to her the first time about the chef's smuggling dairy margarine, she immediately responded "of course if he is not anymore with us it's because we had problems with him"and "he got burned with us etc..."(you heard me reminding her those statements!) On my stating that I know it was for Kashrut reasons as well she did NOT DENY IT (knowing too well she had already "spilled the beans" the first time) and on the contrary acknowledged that I have enough information and told me to do what I need to do. This is a big breakthrough, considering that all parties involved have not only been "Tight-lipped" about the issue, but completely inconsistent and dishonest. The people listening to this tape, will have to judge for themselves if "my interpretation" is exaggerated.

I understand it is much more convenient for the OU not to admit any of this because a) It will have to admit the wrongdoings of a member of the OU b) be forced to take action against a chef they don't want to start up with (because he has "dirt" on one of their establishments as I mentioned several times) c) in order to "Satisfy" the manipulative demands of a scared owner (Levana's) d) in order to "Satisfy" the manipulative demands of an unscrupulous owner (Le Marais') ready for any shameful schemes to keep his defiant chef. (this owner embodies exactly the "Ein emuna bagoy" saying) The sudden refreshing of memory of Rabbi Schreier concerning his denial he knew in advance this chef was hired at Le Marais (a claim he has held so strong with me from the start and with you at a meeting) doesn't come to me as a surprise. He has been changing his claims all along! However, for a Rav Hamachshir who supervises the Kashrut of many OU restaurants this level of dishonesty is very alarming. It is an insult to Kashrut and the people who place their faith in you, to allow a chef that cannot be trusted under any circumstance to continue to work at Le Marais (Even after being confronted lying about a Kashrut violation). The OU has not acted upon it and it is very deceiving.

My extended restraint (in not going public until now) did not bear fruit since the OU has slyly demonstrated a complete lack of willingness to act with integrity about this matter to "do the right thing" by any stretch.

I refuse to be an accomplice in your deceptiveness, in this hypocrisy of Kashrut. As much as I need to keep my job I refuse to let it be a bribe for my silence.

Please accept my resignation as mashgiach at Le Marais. I'll wait for your confirmation about my replacement (anytime after Purim)

Respectfully
Isaac Bitton

Report sent to Rabbi Elefant and Rabbi Luban on:

Cover up for a fired chef

I know in this report I will appear more like a private “investigator” than a Mashgiach but I felt compelled all along to play that role when I saw a complete vacuum of reasonability towards Kashrut. I refuse to be part of a corruption and a mockery of basic Kashrut enforcement.

FACTS:

- The first time I heard about was when the French baguette man, Michel announced to me a week before hand that the chef of Levana was to be the next chef at Le Marais.
- This chef had just started to work at Le Marais when Rabbi Shreier on his first visit to the restaurant warned me about him saying “keep an eye on him he is a *l`xyI `pey* .
- I could also see for myself right away that he was indeed an anti-Semite.
- Another warning was given to us, the Mashgichim, about two three weeks later by people from outside. They had heard that not only he was a *l`xyI `pey* but more precisely he was fired from Levana restaurant. They urged us to be very careful.
- The first week already he had started with us his testing games (check with Rabbi Keller, the morning Mashgiach, for the incident of mixing chicken soup with a fish product.)
- The quite friendly relationship we had from the beginning did not last too long. As soon as he found out, in a conversation that I knew the Kirshenbaums his attitude completely changed. From that time on he started a whole series of provocations against me. He had hoped that by antagonizing me I would finally leave Le Marais.
- Obviously, I understood in retrospect later on, he had something to hide, he was concerned and afraid I would find out about his past since I knew the owners of Lavana.
- After a couple of months of restraint I finally confronted this chef. He stopped right away with his provocations from then on the only talk I had with him was for work related matters.
- Rabbi Keller must remember how many times he told me himself how sly this chef was because of his own experience with him.
- As we received more calls from the same people concerning this chef I finally informed Rabbi Shreier about those problems. (They had also mentioned that they sent a letter to the owner).
- I decided to call myself Avraham Kirshenbaum the owner of the Levana, to find out about these rumors. He assured me that they did not fire the chef but did admit about his bad mouthing of the Jews.
- About five months later the chef was caught red handed by Rabbi Keller smuggling OU dairy margarine, which he had brought from a Supermarket without the Rabbi’s knowledge.
- The few packages he had brought was already used in the pot (see my letter to Rabbi Shreier for details.) This on purpose act of Kashrut sabotage showed clearly the true face of this chef.
- This act went unpunished and the chef was able to keep his job thanks to his protector, Rabbi Shreier, who labeled that incident as a mistake. Though Rabbi Shreier himself issued a warning to this chef his incredible attempt to deny it in front of Rabbi Luban at the last meeting on November 9th was nothing else then a first public hiding of implicating facts. Rabbi Keller is well aware of this warning.
- A couple of days later I called directly Mrs. Levana Kirshenbaum to get her opinion about this dairy Margarine incident. Here is what she had to say about this chef. “of course if he is no longer with us, it is because we had problems with him” “People get burnt in a place and they start a new life somewhere else” She added that “he is rotten”. To my main question if she thought he could do this thing on purpose she said “I can’t answer you, ask Saul the manager”. I did call him but he was not available to comment.
- Rabbi Shreier was always adamant to dismiss this information so he wouldn’t have to admit he knew about the firing of this chef from Levana.

- However, the revelations of Mrs. Levana were clear enough a) to confirm the rumors that we had heard from the begging b) to confirm once and for all that we had at Le Marais a chef that was a big danger for Kashrut.
- Rabbi Shreier's lack of enforcement in this matter proved me I was witnessing a cover up in the making. No matter how shocking it was I still kept silent about it. My justification to myself for keeping a low key in this matter was a) this chef had for sure learned his lesson and would fool around with Kashrut b) Rabbi Shreier is the Rav Hamachshir, and by not removing the chef is taking full responsibility for any serious problems this chef must have done before he was caught and after. c) I have at last warned everybody about the problem of the xwt'd pastry kitchen (where exactly the dairy margarine smuggling occurred).
- I was proved wrong to think this chef had learned his lesson, he still went on with another series of Kashrut rule breaking. (See details in my letter to Rabbi Shreier).
- The chef's arrogance took over again and showed us he was not deterred and could never be trusted. After signing himself under my nose for a delivery of fresh fish I decided to have a talk with the owner Jose. In that meeting I warned Jose of the danger of keeping such a chef who showed many times no respect for Kashrut. He wasn't too receptive to my warnings, on the contrary about the incident of the dairy margarine, he tried to excuse his chef saying "maybe he did see it was dairy margarine but since he did not find anything else he had no choice then to bring this one". What a blunder! Is that something we want to hear from a meat restaurant owner?! It is at this meeting that I learned how through an ad they posted in the newspaper the chef came to land at Le Marais.
- My latest attempt to avoid the consequence of this whole affair going public was to place a call to Mrs. Levana, herself, last week, hoping she can testify directly to Rabbi Luban what she had told me last year. She declined to do so saying she doesn't have anything to do anymore with Levana restaurant. She did however confirm again the chef was fired for bad behavior.

The last proof of the cover up

- In the last meeting with Rabbi Luban and Rabbi Elefant, November 9th, Rabbi Shreier vehemently denied he knew anything about this chef being hired by Le Marais. So last week I had a talk with Jose the owner, and he confirmed that he had called Rabbi Shreier to let him know about his wish to hire this chef but wanted to know if everything was ok with him. Since he had worked before with another OU establishment.



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[Clarification on OU Certification of New York's Le Marais Restaurant](#)

A few months ago, a mashgiach at Le Marais restaurant, Mr. Isaac Bitton, alleged that on several occasions, one of the chefs at Le Marais intentionally compromised the kashrus at Le Marais, and that he had been fired from his previous employment for that very reason as well. Mr. Bitton insisted and demanded that the chef be fired.

Over a period of months the OU carefully researched and investigated every accusation, and we spoke to all parties whom Mr. Bitton claimed had information. Obviously, the presence of an individual who is hostile to our kosher program would seriously compromise our ability to provide reliable supervision. At the same time, fairness dictates that if allegations are made against a Jew or non-Jew, the accusations must be independently verified before one is dismissed from his position.

The OU found no evidence of intent to compromise kashrus by this chef. People quoted by Mr. Bitton resolutely denied statements attributed to them. For example, Mr. Bitton claimed the chef was fired from Levana for kashrus infractions, and the management would verify that this was the case. We spoke to the management of Levana and they emphatically stated that this was not true. Mr. Bitton then said a sister of the management would confirm his allegation. She too said she had no knowledge of this matter. Mr. Bitton then claimed that he secretly tape recorded a conversation with the sister and she admitted and confirmed that the chef was fired for Kashrus reasons. The OU staff listened to the tape and at no point did she confirm the above. Initially, she denied that the chef was fired for Kashrus violations. After Mr. Bitton relentlessly pressed the issue, she said he should pursue the matter further with the appropriate parties, if he so desired. Mr. Bitton maintained that not denying the allegation was tantamount to confirming it. We considered it a misrepresentation to characterize this as a confirmation.

Other individuals who worked closely with the chef, such as the second Mashgiach at Le Marais, gave no support to the allegations. With the exception of Mr. Bitton, everyone found the chef to be cooperative.

Mr. Bitton developed amazing conspiratorial theories involving crime organizations to explain why people denied his allegations, and attributed dark and evil motives to sincere and honest individuals within the OU.

Mr. Bitton was dogmatic in his interpretations of situations and did not acknowledge the legitimacy of other opinions. We explained to Mr. Bitton that he was entitled to his opinion, but we do not have to agree. He insisted that his viewpoint is fact and not an opinion.

For example, in one instance the chef purchased dairy margarine for the restaurant (though it was caught before it was used). There is no evidence that the chef did not make an honest error. Indeed, the OU receives numerous calls from people who accidentally used OUD margarine in a meat dish. Mr. Bitton insisted the chef bought the product with malicious intent. In another case, a delivery of non-kosher fish (which was also not used) was dropped off at the restaurant over Shabbos while the store was closed. Mr. Bitton insisted that the chef made the order, though there was no evidence linking the chef to the order, and the fish company advised the OU that the delivery was made in error to the wrong customer. Once again, Mr. Bitton maintained that his interpretation was a fact and not an opinion.

Mr. Bitton threatened to make a public expose of this "cover-up". The OU took a principled position and did not acquiesce to threats and intimidation.

In protest of our decision to not have the chef fired, Mr. Bitton voluntarily resigned from his position at the restaurant. Since then, Mr. Bitton and others have circulated e-mail allegations about this matter. Many of the statements are patently false, such as the accusation that the chef physically assaulted Mr. Bitton and intentionally placed insects in the food. In a private conversation with an OU staff member, Mr. Bitton admitted that this was not true. Another allegation is that the OU chose to defend the chef for financial considerations. This accusation is absurd. Had the OU insisted that the chef be dismissed, it would have had no financial impact on the OU, as Le Marais would readily have complied. Indeed, the easiest course for the OU would have been for the OU to ask the restaurant to dismiss this chef, and the whole matter would have been put to rest. The OU did not take this course of action because we felt that the kashrus of the restaurant was properly served and to dismiss a chef without just cause was unethical and immoral.

The OU stands firmly behind its supervision of Le Marais and the kashrus there is maintained in full accordance with OU standards.

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Bistro sues former mashgiach

A Manhattan kosher bistro filed a \$10 million defamation lawsuit against its former kashrut inspector.

The suit filed Monday (March 26th 2007) by Le Marais in New York Supreme Court of Kings County charges that Isaac Bitton defamed it on 66 counts when he posted on his Web site and blog -- <http://amashgiachspeaksout.com/> -- that the upscale restaurant's chef, Mark Hennessy, deliberately sneaked non-kosher food into the kitchen and disobeyed other kashrut standards.

Bitton asserted on his site that Hennessy did so because he is a "Jew hater." The Orthodox Union covered up Hennessy's indiscretions, according to Bitton, who worked as the restaurant's mashgiach, or kashrut supervisor, for about two and a half years before quitting his job last week.

"The bottom line of this affair is: cowardice of a hashgachah organization scared to take action against a bully jew hater chef (because he has "dirt" on another OU establishment) even if it means to give this chef an open ticket to fool the mashgichim under their noses," Bitton wrote on his site, which he set up after quitting his job.

In a statement posted on its Web site, the Orthodox Union said it had checked out Bitton's claims assiduously but they did not stand up to scrutiny.

Still, the bistro received 20-30 calls since the Web site went online, and suffered a 30 percent slide in business over the weekend, its attorney, Richard Klass, told JTA.

OY! IT'S KOSHER COMBAT TOP EATERY 'SMEAR' RAP

By **BILL SANDERSON**

March 28, 2007 -- Everything is kosher at Manhattan's popular Le Marais steakhouse, its owners insist.

And they've filed a \$10 million lawsuit to bar a former supervisor at the restaurant from saying otherwise.

A state judge yesterday ordered Isaac Bitton, a former *mashgiach*, or kosher supervisor, to stop posting to the Internet any statements about Le Marais or its employees - including the restaurant's head chef, Mark Hennessey, whom Bitton called "a Jew hater."

Bitton's son said last night that his father will not comply with the order. "We have enough tape recordings and documents to prove the story," said Yisrael Bitton.

A lawyer for Le Marais, Richard Klass, said Bitton's allegations have cut business at the French kosher Midtown eatery by 30 percent.

Le Marais is backed by the Orthodox Union, an international kosher certification organization that says it thoroughly investigated Bitton's charges and found "no evidence of intent" that the restaurant's chef sought to break kosher rules.

On a Web page, Bitton claims the Orthodox Union "up to the highest echelons" endorses "a cover-up of the facts to protect their business interests."

The OU responded, "Mr. Bitton developed amazing conspiratorial theories involving crime organizations to explain why people denied his allegations, and attributed dark and evil motives to sincere and honest individuals within the OU."

One of Bitton's allegations is that dairy margarine "was placed in a pot with other food" in the restaurant's kitchen several months ago. Kosher law forbids mixing dairy and meat.

But the OU said it was an honest error, and the food was not served.

Bitton also complains that Hennessey ordered non-kosher fish to be delivered to the restaurant during the Sabbath, when Le Marais was closed. But the fish company said the delivery was a mistake.

And, Bitton says, strawberries arrived in the kitchen without having been checked by Bitton or the eatery's other *mashgiach*. "When I later checked those strawberries I found several worms in them," Bitton said.

To make matters worse, says Bitton, Hennessey sometimes lit the restaurant's ovens. Under kosher law, that's a job for the restaurant's *mashgiachs*.

Bitton quit working at the restaurant three weeks ago.

"The fact that the chef and owners of the restaurant are not Jewish makes it an even more precarious situation," Klass said. "The people who eat there are relying on the *mashgiach*."

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