

HORROR IN THE HAMPTONS

Lizzie blames her SUV

New lawyer says PR whiz wasn't used to powerful engine



KRISTEN ARTZ

SUED Lizzie Grubman takes a walk on East Side yesterday.

By ROBERT GEARTY and ROBERT INGRASSIA
DAILY NEWS STAFF WRITERS

Lizzie Grubman's new lead lawyer says the car made her do it.

Attorney Stephen Scaring said the PR star's unfamiliarity with her Mercedes sport-utility vehicle played a major role in the crash that injured 16 people outside a Southampton nightclub Saturday.

Scaring said Grubman lost control and smashed into the Conscience Point Inn because she wasn't used to the car's powerful engine.

"It would respond so quickly and so powerfully, we think it has a lot to do with causing this accident," said Scaring, a top Long Island defense lawyer. "It argues against this being an intentional act."

WNBC-TV last night quoted Scaring as saying Grubman put the car in reverse and lost control as she attempted to back over a low cobblestone curb.

Within hours of the incident, Grubman's spokesman Howard Rubenstein had said the publicity princess "made the mistake of thinking the car was in drive when it was in reverse."

Scaring told the Daily News that the curb was only one of several possible contributing factors to the mishap, but he declined to elaborate.

The new defense tack — blaming the Mercedes — emerged as two victims injured in the crash at the Conscience Point Inn hit Grubman with a multimillion-dollar lawsuit, the second such filing against her in as many days.

Grubman's camp is trying to counter accusations that she angrily backed her Mercedes into the crowd outside the trendy East End club after a confrontation with two security guards



Stephen Scaring

over parking.

In sworn statements to police, two club bouncers said that shortly after they ordered Grubman to move her SUV from a fire lane, the vehicle came racing back at them.

But Grubman sources have told The News that at least 40 minutes passed between the encounter with the bouncers and the SUV incident. Scaring would not comment on the time line.

Grubman, 30, is charged with assault, reckless endangerment and leaving the scene of an accident. She faces up to 25 years in prison.

The Suffolk County district attorney's office urged Grubman's

team to come clean with prosecutors.

"Instead of telling their stories to the media, they should, one, tell them to the investigators and, second, tell them to the grand jury," said Drew Biondo, the district attorney's spokesman. "It doesn't matter what appears in the paper. It matters what ultimately the grand jury finds to be the truth."

Biondo didn't rule out the possibility that a significant amount of time passed between the parking dispute and the crash.

"It's possible," he said. "It's all part of the investigation."

The crash time line could be crucial to both sides, said Michael Brown, a former Suffolk prosecutor and defense attorney who is not involved in the case. To win a conviction on assault charges, prosecutors must show that Grubman acted intentionally or with depraved indifference.

"If you have a confrontation and then immediately after there are injuries, that would favor the prosecution in terms of proving intent," Brown said. "But if there's a lapse in time, it would fall more along the lines of an accident."

Scaring, 59, one of Long Island's top legal guns, joins Edward Burke Jr., a politically connected Southampton lawyer on Grubman's defense team. Scaring is a former Nassau County prosecutor who handled the notorious murder case involving Dr. Charles Friedgood, a physician charged with poisoning his wife.

As a criminal defense lawyer, Scaring has handled cases involving pro athletes, including a DWI rap against former New York Knicks star Dave DeBusschere and an assault charge against ex-New York Jets player Matt O'Dwyer.

He also tackled cases involving politically connected defendants, including Armand D'Amato, former Sen. Alfonse D'Amato's brother, who was charged with influence peddling.

In the new lawsuit, nightclub patrons Leslie Arnold and Shari Goldsmith say Grubman's vehicle pinned them against the building, leaving them "seriously and permanently injured."

Arnold is seeking \$10 million in damages, and Goldsmith is seeking \$5 million. The plaintiffs also want the Grubmans to pay \$20 million in punitive damages.

The suit also names Grubman's father, entertainment lawyer Allen Grubman, who owns the SUV.

"Despite their devastating injuries and resultant disabilities, they hope that one day they will be able to once again do those things we all take for granted," said the plaintiffs' attorney, Robert Marcus.

With Brian Harmon and Helen Peterson

'It's not like it's going to happen again'

By MAKI BECKER, BRIAN HARMON and DAVE GOLDINER
DAILY NEWS STAFF WRITERS

The hip hop was throbbing and the tiny dance floor at the Conscience Point Inn started to fill up around 1 a.m. yesterday.

Well-tanned twentysomething women in backless tops sipped, and tanned college guys chatted with pals at a wraparound bar.

For the first time since Lizzie Grubman turned the Hamptons upside down, all was right for the pretty boys and girls of summer.

"It's not like it's going to happen again," joked one woman, her midriff peeking out below a cutoff shirt.

The stylish Armani and Prada outfits were nowhere to be seen as Wednesday night turned into Thursday morning at Conscience Point. But regulars insisted that was by design.

Wednesday night is billed as Employees Night, where the velvet rope rules get bent a bit and bartenders, bouncers and waitresses pay just \$5.

On tables, leatherbound menus sitting in silver carafes list bottles of Johnnie Walker Blue scotch for \$675 and Cristal champagne for \$1,000. Grey Goose vodka goes for \$300.

On the weekends, the bottle service is required at the tables, but those rules are loosened during the week.

The only physical reminder of the weekend mayhem was the velvet rope pulled across the closed VIP room off to the right.

Hits by Eve and Snoop Doggy Dogg blared from speakers as a well-toned karate instructor greeted a tanned girl spilling out of her Harley-Davidson halter top.

"This is a kickback day," the martial arts guy said.

In the ladies' room, women reapplied their lipstick — and traded the latest Lizzie gossip. Especially in the epicenter of Hamptons highlife, everybody had something to say about Grubman.

"It's definitely the No. 1 topic," one woman said above the music.



COREY SIPKIN DAILY NEWS

Clubgoers gather outside the Conscience Point Inn yesterday, ready to party.