



# NEW YORK POST

## Gun dealer's return fire

A Bensonhurst gun store owner busted in the mayor's crusade against illegal firearms blasted back at the city's tactics.

Joseph Benfante, a lawyer for DF Brothers Sport Center — which the city says sold a gun illegally to an undercover investigator — claimed the store first sent the former cop packing for providing insufficient paperwork and then the ex-cop misled the gun dealer on her application.

Benfante said the charges against DF owner Jack Togati, 40, were off the mark and that the investigator sent to ensnare him indicated on her application that the gun was intended only for her use.

Benfante said the gun was never sold illegally.

"The fact remains, an individual took possession of a firearm without producing the required permit," said an NYPD spokesman. *Philip Messing and Patrick Gallahue*