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May 18, 1994

PERSONAL AND CONFIDENTIAL

MR. GEORGE SASSOWER  
16 LAKE STREET  
WHITE PLAINS, NY 10603

Re: Matter of DONALD F. SCHNEIDER, ESQ.  
Docket No. 94.1019

Dear MR. SASSOWER:

We are forwarding herewith an answer to your recent complaint against the above-named attorney. If you disagree with the attorney's statement, please write us, telling us specifically how and why; if you have any documents substantiating your points of disagreement, forward them to us. Also, please tell us what has happened in regard to this matter since the time you filed the complaint.

If we do not hear from you within twenty (20) days, we may conclude that you agree with the attorney's statement.

All inquiries concerning this matter should be addressed to Carol Scheuer, Legal Assistant.

Very truly yours,



Hal R. Lieberman

HRL:adp/P:CS  
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OF COUNSEL  
JEROME A. PERLES

\*ALSO ADMITTED IN CALIFORNIA  
\*\*ALSO ADMITTED IN CONNECTICUT

May 9, 1994

Hal R. Lieberman, Esq.  
Departmental Disciplinary Committee  
Supreme Court, Appellate Division  
First Judicial Department  
41 Madison Avenue  
New York, New York 10010

Re: Complaint of George Sassower  
Docket No. 94.1019

Dear Mr. Lieberman:

I write in response to your May 3, 1994 letter concerning the complaint of George Sassower ("Sassower").

SUMMARY OF THIS RESPONSE

The complaint is the latest in a never-ending series of unfounded and unsubstantiated ethical complaints by Sassower, a disbarred attorney, against attorneys who were his adversaries in litigation concerning the judicial dissolution of Puccini Clothes, Ltd. ("Puccini"). Sassower charges that I falsely stated in an affidavit almost ten years ago that an attorney named Sam Polur ("Polur") served a Summons upon me. That Polur served such Summons upon me (in violation of an injunction) has been found as fact in numerous proceedings. Indeed, this very fact was a basis of charges brought by your office against Polur, which charges were sustained. Polur was consequently suspended from the practice of law. In re Sam Polur, 173 A.D.2d 82, 579 N.Y.S.2d 3, 4 (1st Dep't 1992). This fact was also the basis of a contempt conviction of Polur which withstood numerous judicial challenges by both Polur and Sassower. Finally, Polur himself admitted such fact on the record in judicial proceedings before Justice Klein who presided over the case in which Polur served the Summons. Mr. Bratton of your office prosecuted the disciplinary complaint against Polur and should be able to verify these facts.

RECEIVED

MAY 12 1994

DEPARTMENTAL  
DISCIPLINARY  
COMMITTEE



Hal R. Lieberman, Esq.  
May 9, 1994  
Page Two

The New York Supreme Court issued an injunction enjoining Sassower from filing grievances such as this without prior judicial permission. Ignoring the injunction, Sassower has nonetheless continued his endless stream of complaints to your committee against me and other members of my firm. Not a single charge was ever found to have any merit. This complaint is utterly frivolous.

#### THE FACTS

Sassower's complaint is part and parcel of his "blackmail by litigation" scheme wherein he "abus[es] the judicial process by hagridding individuals solely out of ill-will or spite." Sassower v. Signorelli, 99 A.D.2d 358, 472 N.Y.S.2d 702, 703-04 (2d Dep't 1984). Such scheme, participated in by Polur, was permanently enjoined by the state courts (Exhibit "A") and federal courts, see Raffe v. Doe, 619 F. Supp. 891, 898 (S.D.N.Y. 1985). Nonetheless, Sassower has continued his torrent of litigation concerning Puccini by filing approximately 28 additional federal lawsuits against this firm, its senior partner (Mr. Feltman, the court-appointed Receiver for Puccini), me and others, as well as numerous disciplinary complaints. Sassower has not succeeded in a single one of these actions which, although they have resulted in additional injunctions against him, see e.g., Sassower v. Carlson, 930 F.2d 583 (8th Cir. 1991); Sassower v. Willcox, unreported, Case No. 90-1142 (4th Cir. July 2, 1991); Sassower v. Mead Data Central, Inc., C3-91-436 (D. Ohio); and Sassower v. Abrams, 92 Civ. 8515 (PKL) (S.D.N.Y. Sept. 8, 1993), have caused this firm and other private party defendants to incur substantial time and expense to defend.

As a result of Sassower's gross misconduct in the proceedings concerning Puccini, he was incarcerated for criminal contempt on several occasions, disbarred in both the federal and state courts, see e.g., Matter of Sassower, 125 A.D.2d 52, 512 N.Y.S.2d 203 (1987), app. dismissed, 70 N.Y.2d 691, 518 N.Y.S.2d 964, 512 N.E.2d 547 (1987), and enjoined from filing further lawsuits and disciplinary grievances against us. See e.g., Exh. "A." Nonetheless, Sassower's outrageous conduct continues.

Hal R. Lieberman, Esq.  
May 9, 1994  
Page Three

The sole charge in Sassower's March 22, 1994 complaint is that I allegedly filed an affidavit in 1985 which falsely stated that Polur personally served a Summons upon me. Sassower claims that the affidavit was perjurious based not upon his personal knowledge, but upon his assertion that an affidavit submitted by a different defendant in that case (Michael Gerstein of Kreindler & Relkin, P.C.) contradicts my affidavit. On its face, however, the Gerstein affidavit does not contradict my affidavit at all.

Moreover, the veracity of my assertion has been upheld in numerous proceedings. For example, Polur was punished for a criminal contempt for having served such Summons in violation of an injunction. Such contempt order was upheld on appeal, see Raffe v. Riccobono, 493 N.Y.S.2d 70 (1st Dep't 1985), and has withstood various collateral attacks by both Polur and Sassower. Most significantly, during the contempt proceedings, Polur admitted serving the Summons (Exh. "B," p. 28).

Thereafter, Polur was charged with having unlawfully served such Summons in a disciplinary complaint initiated by your office (Exh. "C," Charge Two). I assume your office investigated that charge before bringing it. That charge was sustained and Polur was suspended from the practice of law. In your Brief to the Appellate Division, you stated:

This panel found that Respondent further violated DR 1-102(A)(5) and (6) and DR 7-106(A) not only by stating his intent to disobey a judicial order that enjoined 'Sassower, Raffe, . . . and all others acting on their behalf' from 'filing or serving . . . any lawsuit or complaint or proceeding' concerning the Puccini matter (Staff Exhibit 3; hereinafter the 'Permanent Injunction Order'), but also by his actually serving a summons on counsel in violation of that order.

(Exh. "D").

There are other statements in Sassower's letter which are equally baseless and which do not merit a further response. Should you want any further information, please let me know.



Hal R. Lieberman, Esq.  
May 9, 1994  
Page Four

In sum, Sassower's charge was previously rejected in numerous proceedings and is a sham. Undoubtedly, this is only the beginning of a predictable torrent of attacks by Polur and his cohort Sassower that are part and parcel of Polur's strategem for seeking reinstatement. It is unfortunate that the Departmental Disciplinary Committee, ignoring the crystal clear information in its files and the injunction barring such grievance complaints without prior judicial approval, has seen fit to dignify Sassower's absurd charge and thus permit and encourage the continuation of his "blackmail by litigation" scheme.

Very truly yours,



Donald F. Schneider

DFS:db  
Enclosure  
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