

GEORGE SASSOWER

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March 30, 1984

Hon. Robert Morganthau
District Attorney, New York County
One Hogan Place,
New York, New York, 10013

Att: Joanne H. Siegmund, Esq.
Assistant District Attorney

Re: Puccini Clothes, Ltd.

Dear Ms. Siegmund,

1. In addition to the material that I gave you on the 28th inst., enclosed please find a portion of an affidavit of Charles Zangara, Vice-President of Citibank, N.A., sworn to on July 29, 1981, which states:

"The Estate [of Milton Kaufman] has received no monies whatsoever from Puccini Clothes, Ltd."

If you would inspect the disbursement sheets of Rashba & Pokart, you will find that seventeen (17) checks were issued to the Estate of Milton Kaufman after June 4, 1980.

The Court, in granting Citibank, summary judgment, unquestionably relied upon the truthfulness of the aforementioned statement.

2. Let me again reiterate, that I take a very serious view of this matter. The fact that Citibank is financially responsible in restitution is totally irrelevant.

Would Citibank contend that a bank robber is entitled to criminal exoneration because, if sued, he could satisfy a judgment for the monies stolen?

3. As far as I am concerned, Mr. Zangara, and everyone else associated with this larceny and perjury should be criminally prosecuted. This includes the President of Citibank, who knows or should know about this matter; their attorneys, Kreindler & Relkin, P.C., who obviously prepared this perjurious affidavit; and the Receiver, Lee Feltman, Esq., who concealed the truth from the Court.

Their criminal conduct was not the result of economic need, but of greed, arrogance, and an attempt to conceal their unethical conduct!

4. I am reasonably certain that these culprits are stronger advocates of "law and order", than I am, and see no mitigating circumstances in this affair.

5. I expect your office to perform its duty!

Very truly yours,


GEORGE SASSOWER

GS/h

cc: Mr. Charles Zangara, Vice-President
Citibank, N.A.
Lexington Avenue & 53rd Street,
New York, New York

Mr. William I. Spencer, President
Citibank, N.A.
Lexington Avenue & 53rd Street,
New York, New York

Kreindler & Relkin, P[C].
500 Fifth Avenue,
New York, New York

Lee Feltman, Esq.
55 East 52nd Street,
New York, New York

Hon. Robert Morgenthau
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One Hogan Place,
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ordered the dissolution of Puccini and appointed a receiver. This Court found, that Raffe, Dann and Sorrentino had acted in bad faith and had oppressed the interest of Kaufman. (A copy of the decision of the Court are annexed hereto as Exhibit "D").

11. After the entry of the Court's order, Dann and Sorrentino discharged Mr. Sassower and attempted to work out an amicable resolution of the dispute with the Executors of the Estate of Kaufman. In light of these efforts, the Hon. John V. Lindsay, who had been appointed receiver by the Hon. Justice Sinclair, delayed his qualification. Once these efforts did not succeed as a result of the refusal of Mr. Raffe to allow for an amicable resolution, Mr. Lindsay declined to qualify because of other pressing commitments. The plaintiffs herein, petitioners on the application for dissolution have moved this Court, in a motion now pending before Justice Sinclair, for the appointment of a replacement receiver, either the Board of Directors of Puccini or, alternatively, an independent third-party. Raffe, continuing his efforts to delay and obstruct the interest of the corporation, has cross-moved to appoint himself alone as receiver, and has opposed the appointment of any independent third-party as receiver.

12. The unsupported and baseless charge that the Estate has dissipated the assets of Puccini Clothes, Ltd. is

totally false. The Estate has received no monies whatsoever from Puccini Clothes, Ltd.

13. Raffe's claim that the third-party defendants "agreed to discontinue a multi-million dollar lawsuit against the plaintiffs" is an outright lie. This Court, on two occasions, has dismissed this frivolous lawsuit. There was no lawsuit to discontinue. (See the decision and order of Justice Greenfield annexed hereto as Exhibit "E". See page 4 of the decision of Justice Lane which is annexed as Exhibit "A" to the moving papers).

14. As the next defense, Raffe argues that, because Eugene Dann pledged his stock as security to Milton Kaufman, that this pledge in some way constitutes a defense to this action. This contention is, of course, absurd. The stock which was pledged by letter, attached as Exhibit "4" to Raffe's affidavit, simply provides that in case of a default, Kaufman may sell Dann's stock and "may apply the proceeds thereof against any monies due under the guarantee". The Estate has not sold any of Dann's stock, and therefore, this is simply another irrelevant red-herring issue.

15. As an additional defense, Raffe argues that plaintiffs "fail to allege that Puccini did not pay plaintiffs or that they have not taken control of the assets of Puccini". This