

SUPREME COURT : NEW YORK COUNTY

HYMAN RAFFE, individually and on behalf of
PUCCINI CLOTHES, LTD.,

Plaintiff

vs. Defendant

LEE FELTMAN; FELTMAN, KARESH & MAJOR: and
Hon. XAVIER C. RICCOBONO, as trustee; Hon.
MICHAEL J. DONTZIN, as trustee; and Hon.
THOMAS V. SINCLAIR, JR., as trustee; individual
and as etc; and FIDELITY AND DEPOSIT COMPANY
OF MARYLAND,

To the above named Defendant

You are hereby summoned to answer the complaint in this action and to serve a copy
of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's
Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days
after the service is complete if this summons is not personally delivered to you within the State of New York); and in
case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the
complaint.

Dated, September 19, 1984
Defendant's address:

Index No.

Plaintiff designates

New York

County as the place of trial

The basis of the venue is

Residence of defendant.s

Summons

Plaintiff resides at

County of Nassau

GEORGE SASSOWER

Attorney(s) for Plaintiff
Office and Post Office Address

2125 Mill Avenue,
Brooklyn, New York, 11234
(718) 444-3403
(718)

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----x
HYMAN RAFFE, individually and on behalf of
PUCCINI CLOTHES, LTD.,

Plaintiff,

-against-

LEE FELTMAN; FELTMAN, KARESH & MAJOR; and
Hon. XAVIER C. RICCOBONO, as trustee;
Hon. MICHAEL J. DONTZIN, as trustee; and Hon.
THOMAS V. SINCLAIR, JR., as trustee,
individually and/or on behalf of the Supreme
Court of the State of New York, County of
New York, and FIDELITY AND DEPOSIT COMPANY OF
MARYLAND,

Defendants.

-----x
Plaintiff, by his attorney, GEORGE
SASSOWER, Esq., complaining of the defendants, as and
for his amended complaint, respectfully sets forth and
alleges:

1a. That at all of the times hereinafter
mentioned, the defendants, Hon. XAVIER C. RICCOBONO and
Hon. MICHAEL J. DONTZIN, were and still are Justices of
the Supreme Court of the State of New York, but are here
sued as the trustees of the assets and affairs of
PUCCINI CLOTHES, LTD. ["Puccini"], individually and/or
on behalf of the Supreme Court of the State of New York,
County of New York.

b. That at all of the times hereinafter mentioned, defendant, Hon. THOMAS V. SINCLAIR, JR., was and still is a Judge of the Civil Court of the City of New York, County of New York, and at times, Acting Justice of the Supreme Court of the State of New York, County of New York, but is sued herein as a trustee of the assets and affairs of Puccini.

c. That at all of the times hereinafter mentioned, defendant, LEE FELTMAN, Esq., was and still is the Receiver, appointed by the Hon. Michael J. Dontzin and Hon. Thomas V. Sinclair, Jr., pursuant to Order dated on or about February 1, 1982.

d. That at all of the times hereinafter mentioned, the firm of FELTMAN, KARESH & MAJOR, Esqs., of which LEE FELTMAN, Esq., was and still is senior partner, has been acting on his, not Puccini's, behalf.

e. That the aforementioned appointment of Lee Feltman, Esq., was conditioned on the filing of a bond in the sum of \$500,000, which by statute is in favor of "THE PEOPLE OF THE STATE OF NEW YORK", and was so written by defendant, FIDELITY AND DEPOSIT COMPANY OF MARYLAND, but Puccini, or those interested in said involuntarily dissolved corporation, are an intended beneficiary.

2a. On the 4th day of June, 1980, Puccini, a domestic corporation, was involuntarily dissolved, with its assets and affairs becoming custodia legis, as a matter of law, by terms of the Order of that day, and by virtue of the Order dated January 5, 1981 [per Greenfield, J.].

b. Defendant, Hon. Thomas v. Sinclair, Jr., was and still is the "originating justice"; defendant, Hon. Michael J. Dontzin, was and still is the "appointing justice" (22 NYCRR §660.24); and Hon. Xavier C. Riccobono was and still is the "Administrative Justice of the Supreme Court of the Supreme Court of the State of New York, County of New York".

c. Jointly and severally, by reason of the aforementioned, the Hon. Xavier C. Riccobono, Hon. Michael J. Dontzin, and Hon. Thomas V. Sinclair, Jr., became the trustees of the assets and affairs of Puccini, individually and/or on behalf of the Supreme Court of the State of New York, County of New York.

d. Since June 4, 1980, Puccini has been a legally helpless entity, fully dependent, as a ward of the court, on the actions and inactions of the court and its appointees.

4. Plaintiff is a holder of a 25% equity interest in Puccini, holds a substantial judgment against it, and has various other liquidated, as well as unliquidated, claims pending.

5a. Pending before the Court was plaintiff's Order to Show Cause, dated August 13, 1984, which insofar as it related to Puccini requested:

"cancellation of the judgment [of about \$450,000, with interest] in favor of the third party plaintiff [plaintiff herein] against the third party defendants [including Puccini].

b. There was no relief requested in such application which adversely affected Puccini or intended to adversely affect it.

6a. Nevertheless, on August 16, 1984, a member of the firm of Feltman, Karesh & Major, Esqs., duly authorized by both that firm and Lee Feltman, Esq., fiercely opposed such application, within the presence and hearing of Senior Assistant Attorney General David B. Cook, Esq., who was representing the judicial defendants herein, and who remained silent on the subject, upon the express or implied instructions of the defendants, Xavier C. Riccobono and Michael J. Dontzin.

b. This and similar activities, contrary to the interests of Puccini, the judicial trust, have taken place by Lee Feltman, Esq. and/or Feltman, Karesh & Major, Esqs., are known to the defendants, Xavier C. Riccobono and Michael J. Dontzin, who have given them their aid and assistance, and that of their office (cf. Judiciary Law §14).

c. There was compelling merit, both fact and law, to the aforementioned application, dated August 13, 1984, and there is no known legitimate reason for such betraying actions by Lee Feltman, Esq. and Feltman, Karesh & Major, Esqs., which are specifically contrary to the interests of Puccini, and those beneficially interested in its assets.

7a. Such conduct, in manifest violation of oath and duty to client and trust, Puccini, is actually known and has been known to the trustees, Hon. Xavier C. Riccobono, Hon. Michael J. Dontzin, and/or Hon. Thomas V. Sinclair, Jr., and in violation of their trust duties, who have not only not taken any remedial action but as aforementioned, assisted same.

b. To assure himself that there would be no intervention by the Attorney General, Xavier C. Riccobono commandeered and embraced Senior Attorney General David S. Cook, Esq., who was and still is the assigned attorney in the Office of the Attorney General mandated to vouchsafe Puccini's assets and interests (Business Corporation Law §1214), as his attorney and the attorney for the various judicial officials in the Supreme Court, New York County.

8a. The damages as a result of such conduct exceeds the sum of \$500,000, and to the extent it exceeds the amount of the bond or the bonding company fails to pay same, then judgment is prayed against the other defendants.

b. This action inures, and is intended to inure, to the benefit of Puccini, as well as to the legitimate interests of Eugene Dann and Robert Sorrentino.

WHEREFORE, plaintiff demands judgment against defendants in the sum of \$2,000,000 together with costs, disbursements, and attorney's fees.

GEORGE SASSOWER, Esq.
Attorney for plaintiff
2125 Mill Avenue,
Brooklyn, New York, 11234
(718) 444-3403

STATE OF NEW YORK
CITY OF NEW YORK
COUNTY OF KINGS

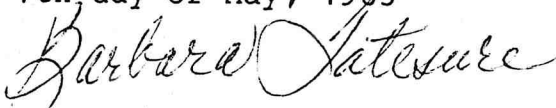
)
) ss.:
)

HYMAN RAFFE, first being duly sworn,
deposes, and says:

I am the plaintiff herein and have read
the foregoing amended complaint and the same is true of
my own knowledge except as to matters stated therein to
be on information and belief, and as to those matters
deponent believes them to be true.


HYMAN RAFFE

Sworn to before me this
7th day of May, 1985



BARBARA TATESURE
Notary Public State of New York
No. 24-4760746
Qualified in Kings County
Commission Expires March 30, 1986

BARBARA TATESURE
Notary Public State of New York
No. 24-4760746
Qualified in Kings County
Commission Expires March 30, 1986