

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GLORGE BASSOWER, :

Plaintiff, : ANSWER

-against- : 77 C 1447

ERNEST L. SIGNORELLI, ANTHONY MASTROIANNI, :
VINCENT G. BERGER, JR., JOHN P. FINEBERTY, :
ALLEN KROOS, ANTHONY WISNOSKI, and :
LEONARD J. PUGATCH, :

Defendants. :

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The defendant ERNEST L. SIGNORELLI, by his attorney, LOUIS J. LEFKOWITZ, Attorney General of the State of New York, answering the complaint of the plaintiff, respectfully alleges:

1. Denies knowledge or information sufficient to form a belief as to the truth of each and every allegation of paragraph 2 of the complaint herein.
2. Denies each and every allegation of paragraph 5 of the complaint. The Surrogate's Court exercises the power granted by Sections 2605 and 2607 of the SCPA.
3. Denies each and every allegation of paragraph 3 of the complaint. The Surrogate's Court exercises jurisdiction and power granted by Article VI of the Constitution of the State of New York and Article 2 of the New York Surrogate's Court Procedure Act (SCPA).
4. Denies each and every allegation of paragraphs 6 and 9 of the complaint. The Surrogate's Court exercises the power granted by Section 1202 of the SCPA. The employment of counsel by the Public Administrator and the maintenance of suitable office space for the Public Administrator are provided for in Section 1206 of the SCPA.

5. Denies each and every allegation of paragraphs 7, 8, 13 and 17. Appointment, removal and compensation of fiduciaries in the Surrogate's Court is provided for in Articles 4, 7, 9, 10, 15, 17 and 23 of the SCPA.

6. Denies each and every allegation of paragraphs 14, 15, 16, 18, 19, 20, 21, 22, 23 and 35 of the complaint herein.

AS AND FOR A FIRST AFFIRMATIVE
DEFENSE.

7. The complaint fails to state a claim against the defendant upon which relief can be granted.

AS AND FOR A SECOND AFFIRMATIVE
DEFENSE.

8. Plaintiff has failed to allege sufficient grounds for this Court to exercise jurisdiction over the subject matter of this action.

AS AND FOR A THIRD AFFIRMATIVE
DEFENSE.

9. The acts complained of were performed by the defendant in the exercise of the defendant's judicial function

WHEREFORE, defendant respectfully requests that the complaint be dismissed in all respects.

LOUIS J. LEFKOWITZ
Attorney General of the
State of New York
Attorney for Defendant
Signorelli
By

LEONARD J. PUGATCH
Deputy Assistant Attorney
General
Office & P.O. Address
Two World Trade Center
New York, New York 10047
Tel. No. (212) 489-3014