UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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In the Matter of

GEORGE SASSOWER,

An Attorney.

-----------------------------------x

In the Matter of

In re GRAND JURY APPLICATION,

-----------------------------------x

M-2-238
[VLB]
Notice of Motion

S I R S:

PLEASE TAKE NOTICE, that upon the annexed affirmation of GEORGE SASSOWER, Esq., dated May 26, 1987, and all the pleadings and proceedings had herein, the undersigned will move this Court before Hon. VINCENT L. BRODERICK, held at the Courthouse thereof, 40 Center Street, Foley Square, New York, New York, 10007, held at the Courthouse thereof, on the 18th day of June, 1987, at 9:30 o'clock in the forenoon of that day or as soon thereafter as Counsel may be heard (1) for a Writ of Mandamus to compel the United States Attorney to present facts to the grand jury concerning certain alleged criminal wrongdoings, insofar as it relates to the Disciplinary Proceedings against the undersigned; (2) together with such other, further, and/or different relief as to this Court may seem just and proper in the premises.

PLEASE TAKE FURTHER NOTICE, that answering papers, if any, are to be served and filed in accordance with the Rules of this Court.

Dated: May 26, 1987

Yours, etc.,

GEORGE SASSOWER, Esq.
Attorney for respondent,
pro se.
51 Davis Avenue,
White Plains, N.Y. 10605
914-949-2169

cc: Hon. Rudolph W. Giuliani
Hon. Edwin Meese, III
George G. Gallantz, Esq.
U.S. Magistrate James C. Francis IV (courtesy copy)

UNITED STATES DISTRICT COURT
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M-2-238
[VLB]
Supporting Affirmation

1a. This affirmation is made in support of a motion (1) for a Writ of Mandamus, made as a matter of absolute statutory right, to compel the United States Attorney to present facts to the grand jury concerning certain alleged criminal wrongdoings, insofar as it relates to the Disciplinary Proceedings against your affirmant; (2) together with such other, further, and/or different relief as to this Court may seem just and proper in the premises (see In re Grand Jury Application, 617 F. Supp. 199 [SDNY, per Broderick, J.]).

b. This application should be distinguished from the separate applications, made in separate proceedings, for substantially similar relief, but not directly involved in affirmant's disciplinary proceedings in this Court.

c. Thus, for example, insofar as the revenue laws are involved in the underlying matter, the same will be by separate and independent application.

2a. This proceeding should also be distinguished from the application being made against, inter alia, United States Attorney RUDOLPH W. GIULIANI under 28 U.S.C. §591(b)4.

b. Propriety mandates that Hon. RUDOLPH W. GIULIANI will, in view of the aforementioned, be guided accordingly in assuring that such presentment will be permitted under the aegis of an assistant United States Attorney whose independence is assured.

3a. The underlying proceeding involves PUCCINI CLOTHES, LTD. ["Puccini"], a solvent corporation, which was involuntarily dissolved on June 4, 1980, its assets and affairs becoming custodia legis at that point in time.

b. Albeit its dissolved status, Puccini remained a "person" within the meaning of the XIV Amendment, and its affairs were and are conducted under color of law.

c. Unquestionably, in the period that followed the decree of dissolution, Puccini's trust assets were made the subject of massive larceny under the engineering of KREINDLER & RELKIN, P.C. ["K&R"] and its clients, CITIBANK, N.A. ["Citibank"] and JEROME H. BARR, Esq. ["Barr"].

d. K&R and its clients having become suspect by your affirmant, simply inundated the courts with perjurious statements and affidavits vigorously denying same. Aiding and abetting this criminal adventure by K&R and its clients, were others, including LEE FELTMAN, Esq. ["Feltman"], the court-appointed receiver, and his law firm, FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. ["FKM&F"], who consistently followed a course of conduct adverse to the interests of their judicial trust.

e. Three and one-half (3 1/2) years after such decree of involuntarily dissolution was entered, through affirmant's efforts, the initial "hard evidence" of such larceny surfaced, and in the months that followed the massiveness and arrogance of such criminal conduct simply cascaded into the judicial forums.

f. An unintended result of such exposure of the criminal larceny of judicial trust assets, perjury, and corruption, was the involvement of some jurists and officials.

4a. Affirmant, an attorney, from the very outset represented HYMAN RAFFE ["Raffe"] who had a twenty-five (25%) stock interest in Puccini, as did EUGENE DANN ["Dann"], ROBERT SORRENTINO ["Sorrentino"], and the late MILTON KAUFMAN ["Kaufman"].

b. In addition thereto, Raffe was the largest creditor of Puccini.

c. Personally, affirmant has a judgment against Puccini in the approximate sum of $40,000, a claim in the sum of $3,000,000, and an attorney's lien on Raffe's claims, judgment and otherwise.

d. By law, affirmant's mandated "duty" is to report and/or expose misconduct (Disciplinary Rule 1-103), and be zealous in the advancement of his client's rights (Code of Professional Responsibility, Canon 7).

5a. Affirmant gave strict obedience to his personal and professional mandates as the corrupt activities metastacized in the state and federal forums, nisi prius and appellate.

b. It soon became eminently clear that unless Raffe, SAM POLUR, Esq. ["Polur"], and affirmant could all be made to succumb there was no possible way that a true accounting could be rendered for Puccini's trust assets, as mandated by state law (Bus. Corp. Law §1216[a]; §1207[A][3]; 22 NYCRR §202.52[e], 202.53).

c. Thus, although almost seven (7) years have almost elapsed, no accounting has been filed, notwithstanding the mandatory provisions of Business Corp. Law §1216(a) which state:

> "Final accounting; notice: duty of attorney-general" (a) Within one year after qualifying, the receiver shall apply to the court for a final settlement of his accounts and for an order for distribution ... If the receiver has not so applied for a settlement of his accounts ... the attorney-general or any creditor or shareholder may apply for an order that

the receiver show cause why an accounting and distribution should not be had, and after the expiration of eighteen months from the time the receiver qualified, it shall be the duty of the attorney-general to apply for such order on notice to the receiver." [emphasis supplied]

d. 22 NYCRR § §202.52(e), 202.53 state:

"Receivers shall file with the court an accounting at least once each year ... Applications by trustees for interlocutory or final judgments or final orders in trust accountings ... shall be by notice of petition or order to show cause after the account has been filed in the county clerk's office." [emphasis supplied]

e. Business Corp. Law §1207 (a)(C)(3) provides:

"On or before the first day of February in each year, for the preceding calendar year, and at such other times as the court shall direct, the receiver shall file with the clerk of the court by which he was appointed a verified statement showing the assets received ... A copy of such statement shall be served by the receiver upon the attorney-general within five days after the filing thereof. [emphasis supplied]

f. Business Corp. Law §1208 states:

"Any persons having possession of property belonging to the corporation, who shall wrongfully withhold such property from the receiver ... shall forfeit to the receiver double the value of such property, and the same may be recovered in an action by the receiver."

g. Since the New York State Attorney General, Hon. ROBERT ABRAMS, has never moved to compel an accounting, although his ministerial statutory duty requires him to do so (Business Corporation Law §1216[a]), nor has he ever received a verified statement from the receiver of the "assets" received, it is patently obvious that New York State has a corrupt Attorney General, as well as other corrupt officials, who are aiding, abetting, and facilitating the larceny of judicial trust assets, held under color of law, and thus federal protected.

6a. Thus, there descended upon Raffe, Polur, and affirmant, a "parade of horribles", as more fully described in the related proceeding for substantially similar relief, which in fact compelled Raffe and Polur to involuntarily succumb.

b. Once Raffe and Polur succumbed, the judicially orchestrated plagues against them were lifted.

7a. When K&R and FKM&F could not obtain criminal convictions of Raffe, Polur, and/or affirmant affording them "due process", they and their stable of corrupt jurists, state and federal, simply caused criminal convictions to be entered, without benefit of trial, although ministerially mandated, as a matter of federal constitutional law (Sassower v. Sheriff (651 F. Supp. 128 [SDNY per Edelstein, J.]).

b. Thus, for example, in one legal instrument, Raffe, Polur, and affirmant, without benefit of a trial, were all convicted of non-summary criminal contempt by Mr. Justice ALVIN F. KLEIN, and each sentenced to be incarcerated for thirty (30).

c. Raffe succumbed, and was never incarcerated.

d. Polur was incarcerated, but when he left the scene, the disciplinary proceedings against him based on such conviction was terminated.

e. Affirmant was disbarred based on such patently unconstitutional convictions, without being permitted to contest the lawfullness of such trial-less convictions (Grievance Committee v. G. Sassower (A.D.2d , 512 N.Y.S.2d 203).

f. Affirmant, a federal citizen, is constitutionally entitled to practice law, and earn a livelihood therefrom (Supreme Court of New Hampshire v. Piper, U.S. , 105 S.Ct. 1272), nevertheless, by a corrupt conspiracy by and between K&R, its clients, Feltman, FKM&F, and a number of corrupt officials and jurists, all in violation of plaintiff's civil rights (Chapter 13), and other penal and civil laws governing same, they have not only repeatedly convicted affirmant without benefit of trial, but now have attempted to deny him and his clients access to the courts for relief based upon such unconsitutional disbarment order.

g. The object of such conspiracy is to conceal the massive larceny of Puccini's assets, the plundering of other estates and trusts, and other criminal conduct in the administration of justice, both state and federal.

8a. In addition to the violation of affirmant's federal civil rights, the revenue laws of the United States are being violated.

b. Thus, for example, Puccini's entire inventory was secreted and unlawfully liquidated during a seven (7) month period following June 4, 1980 by approximately twelve (12) employees, and the reported gross income was set at the absurd sum of $512.

c. Fines and penalties, resulting from criminal convictions, which supposedly are the property of government, are being pocketed by FKM&F and K&R, who sell "judicial indulgences".

d. Thus, affirmant has been disbarred because he will not engage in the criminal and unethical practice of purchasing "indulgences" from K&R and FKM&F, "the criminals with law degrees" or anyone else.

9a. The United States Attorney for the Southern District of New York, Hon. RUDOLPH W. GIULIANI, is aware of such criminal activity, including the involvement of officials and jurists in same, but has failed to enforce the criminal laws of the United States, on information and belief, because of the identity of some of these officials and jurists.

b. Indeed, Hon. RUDOLPH W. GIULIANI, has compromised his obligation to enforce the criminal laws of the United States in a constitutional manner, by assuming to defend some of the corrupted federal jurists, which include District Judge EUGENE H. NICKERSON, District Judge WILLIAM C. CONNER, Chief Judge WILFRED FEINBERG, Circuit Judge IRVING R. KAUFMAN, and Circuit Judge, THOMAS J. MESKILL.

10a. Until the identity of the Assistant United States Attorney who will present this matter to the Grand Jury is known, prudence requires that affirmant not reveal in this public application more than is necessary.

b. To support the assertion that there was larceny of Puccini's trust assets, affirmant need only set forth a portion of Feltman's affidavit dated March 5, 1986, when the "thieves" had a temporary falling out.

This affidavit states (p. 6):

> "[T]hey [Kreindler & Relkin, P.C.] have substantially delayed the dissolution proceeding by impeding discovery sought by the Receiver concerning (i) the amounts that the Kaufman Estate received from

Puccini after the Dissolution Order was issued enjoining such payments, and (ii) the books and records of Puccini that appear to be missing. For example, the Kaufman Estate refused to comply with a Subpoena Duces Tecum for eighteen months and remains in default in providing certain discovery despite judicial directives. Moreover, in an effort to block a lawsuit by me as Receiver against the Kaufman Estate to recover for the insolvent Puccini Estate the payments received and retained by the Kaufman Estate in violation of the Dissolution Order in this proceeding, they have adopted the position that my law firm has a conflict of interest and I should retain another firm to prosecute such suit, threatening to delay such required lawsuit by a disqualification motion [emphasis in original].".

b. There is no available remedy except for a Writ of Mandamus in order to give obedience to the statutory mandate that the Grand Jury be advised of such criminal activity.

11. The aforementioned is stated under penalty of perjury.

WHEREFORE, it is respectfully prayed that this application be granted in all respects.

Dated: May 26, 1987

GEORGE SASSOWER

Received Copy
May 27 1987
C. Marlene [illegible]
Secretary [illegible]
Attorney's Office
W.P.

Docket No. M-2-238 [VLB]

I George Sassower affirm under penalty of perjury that on 5/27/87 I served a copy of this Notice of Motion etc. upon George G. Gilbert [illegible] & Hon. Edwin Meese III at their last known address.

Dated: May 27 1987

UNITED STATES DISTRICT COURT
SOUTHERN DIST. OF NEW YORK

In the Matter of

GEORGE SASSOWER, Esq.

An Attorney.

In the Matter of

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Notice of Motion
and Affirmation.

GEORGE SASSOWER, Esq.
Attorney pro se.
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