UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In the Matter of

GEORGE SASSOWER,

An Attorney.

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M-2-238
[VLB]
Notice of Motion
#8

S I R:

PLEASE TAKE NOTICE, that upon the annexed affirmation of GEORGE SASSOWER, Esq., dated June 10, 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 25th day of June, 1987, at 9:30 o'clock in the forenoon of that day or as soon thereafter as Counsel may be heard for an Order to (1) summarily dismissing this proceedings by reason of the misconduct of ROBERT H. STRAUS, Esq., of constitutional magnitude, depriving the respondent his due process rights; (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: June 10, 1987

Yours, etc.,

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

cc: GEORGE G. GALLANTZ, Esq.
U.S. Magistrate JAMES C. FRANCIS IV

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

GEORGE SASSOWER,

An Attorney.

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

M-2-238
[VLB]
Supporting Affirmation
#8

1a. This affirmation, in support of respondent's motion for summary relief (#8), to dismiss this proceeding, is based on the misconduct of the prosecutor, ROBERT H. STRAUS, Esq. ["Straus"], Chief Counsel for the Grievance Committee.

b. The factual material herein set forth is non-exhaustive, but affirmant asserts that Straus was transactionally involved in the fabrication of the charges against affirmant, and indeed was a defendant in an action brought by affirmant, knew the charges were false and contrived, knowingly introduced false and contrived evidence, and prevented affirmant's access to vindicating material (Mooney v. Holohan, 294 U.S. 103; Jennings v. Shuman, 567 F.2d 1213 [3d Cir.]; Kauffman v. Moss, 420 F.2d 1270 [3d Cir.]).

2a. The first knowledge that affirmant had of any disciplinary proceedings was when DONALD F. SCHNEIDER, Esq. ["Schneider"], of the firm of FELTMAN, KARESH, & MAJOR, Esqs. ["FK&M"], thereafter FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. ["FKM&F"], in blatant violation of Judiciary Law §90[10], made a semi-public announcement concerning same in the Courtroom of Hon. ETHEL B. DANZIG, in Supreme Court, New York County, with the added remark that his request was made pursuant to "instructions of the Grievance Committee".

b. Affirmant commenced suit against Mr. Schneider and included therein as a party defendant, "John Doe, the person who gave Schneider such instructions".

c. At that point in time, about every jurist knew that the disqualification orders against your affirmant by Hon. THOMAS V. SINCLAIR, JR., were the product of "switching" of motion papers so that while affirmant responded to the papers served upon him, while the Court was given a different set of papers.

As a consequence thereof, affirmant's opposing papers were transmogrified from "sense" to "nonsense", and very limited disqualification orders were issued by Mr. Justice SINCLAIR.

d. Nevertheless, assuming, arguendo, the validity of such limited disqualification orders, no one has ever been able to show, or can show, that affirmant violated same, in a "due process" proceeding.

e. The disqualification provision, obtained by extrinsic fraud, reads as follows:

> "ORDERED, that George Sassower, Esq. or any attorney affiliated or in any way associated with him, is disqualified from representing Hyman Raffe in this action, and in all other actions or matters wherein George Sassower, Esq. represents an interest adverse to the respondents Eugene Dann, Robert Sorrentino and Puccini Clothes, Ltd." [emphasis supplied]

f. Since it has never been found by any court or any judge, or even claimed by anyone, that affirmant represents an interest adverse to Eugene Dann, Robert Sorrentino and Puccini, there simply is no disqualification of affirmant in any of the Puccini actions and proceedings -- none -- without even considering the legal question of the consequence of "extrinsic fraud", or "due process", or the effect of same, in a criminal contempt proceeding (People v. Giglio, 74 A.D.2d 348, 428 N.Y.S.2d 27 [2d Dept., per Hopkins, J.]; 17 CJS, Contempt, §14, at p. 42), or otherwise!

g. The grievance committee complaint by Mr. Schneider was totally unsupported by any lawful member of the judiciary, when made, or at any time thereafter, a fact actually known by Mr. Straus.

h. Nevertheless, affirmant had to be eliminated from the litigation involving PUCCINI CLOTHES, LTD. ["Puccini"], since he caused the exposure of the massive larceny of its trust assets, engineered by KREINDLER & RELKIN, P.C. ["K&R"], and the perjury, and corruption involved therein, in which LEE FELTMAN, Esq. ["Feltman"], and his law firm were actively involved.

3a. The first communication received by affirmant from the Grievance Committee was in December 1984, and affirmant responded on December 14, 1984.

b. The pertinent portion of such response to Mr. Straus, was as follows:

"Dear Mr. Straus,

> 1. I truly welcomed the receipt of a copy of the complaint of Donald F. Schneider, Esq., of Feltman, Karesh & Major, Esqs. ...
>
> Mr. Schneider, assuming the role of an apostle for your committee, has openly advised members of the judiciary that someone in your organization has 'instructed' him to advise its various members to have a court stenographer present, as proof of my presence and/or participation.
>
> Mr. Schneider does not merely request the presence of a court stenographer, which is his entitlement, but publicly announces that 'the Grievance Committee has requested that he make the request' on its behalf!
>
> Since the privilege of statutory confidentiality is mine alone, I have sued Schneider and the Feltman firm for such breach.
>
> When Mr. Schneider refused to divulge the identity of the person in your committee who purportedly gave him such 'instructions', I moved the Court for such relief, which is presently, <u>sub judice</u>.

Your communication, thereafter received, would ordinarily moot the judicial relief requested, except I know it is the policy of your committee to keep such information undisclosed. The only way I know whereby I can secure said information, or a denial that such 'instructions' were given, is from Mr. Schneider and/or by Order of the Appellate Division.

In my view, your committee has not found a method to counteract this 'Schneider type' of invidious defamation, wherein the mere public proclamation of its filing does the damage!

This type of complainant, disregards the secrecy mandate of Judiciary Law §90[10], with impunity, causes its damage, and then, years later, the vindication becomes confidential!

The upside-down world of Alice in Wonderland might be 'funny' to her, falling down a rabbit hole (Chap. 1), but this inverted logic, where the complaint is public and the vindication is secret is ludicrous!

Thus, I must insist on an expeditious hearing, and respectfully request that it be held at a high floor, so that the Feltman entourage break more than a couple of legs jumping out of the window during cross-examination!

Notwithstanding the above, your committee wants an answer from me, simply because your rules so provide.

My answer is as simple as a-b-c!

Mr. Schneider's complaint ... recites my peccadillos (I have a few); probably says I do not slavishly obey rules, as he perceives them to be (neither did Christ); and sometimes, I am unreasonable (true)!

Barr v. Raffe (97 A.D.2d 696, 468 N.Y.S.2d 332 [1st Dept.]), says, what was never denied! -- What is good for Raffe, is good for Puccini!

The more Raffe pays Barr, the more Puccini pays Raffe! The less that Raffe pays Barr, the less Puccini pays Raffe!

Therefore, ... I am accused of helping Raffe, my alleged crime is helping Puccini, the court's trust, of which Feltman is the agent!

Then the question is why is Feltman and his firm complaining for indirectly helping Puccini?

Is that not as simple as a-b-c!

Mr. Schneider .. accuses me of making 100 motions. Assuming, arguendo, that is true, since mathematicians, which I once was, generally do not know how to add!

c. At the public hearing that I demand, the Feltman firm will be asked why on all the 100 motions took a position contrary to Raffe?

At the public hearing that I demand, the Feltman firm will be asked why on all of the 100 motions, the Feltman firm took a position contrary to the legitimate interests of their trust, the judicial trust, their client?

At the public hearing that I demand, the Feltman firm will be asked why they concealed the larceny of judicially entrusted funds by the Kreindler entourage, so their trust, Puccini, was caused to have a judgment against it for $500,000?

At the public hearing that I demand, the Feltman firm will be asked why they oppose the vacating of a judgment against Puccini for approximately $500,000?

At the public hearing that I demand, the Feltman firm will be asked why, when it petitioned for investigatory accountants to verify the accusation against Kreindler & Relkin, P.C. and Arutt, Nachamie, Benjamin, Lipkin & Kirschner, P.C., they evaded the mandatory provisions of 22 NYCRR §660.24 in order to request the appointment of Rashba & Pokart, who they did not know before?

Of all the accountants in New York City, why did the Feltman firm desire Rashba & Pokart, the accountants for Kreindler & Relkin, P.C. and/or its clients, and the firm to whom the Arutt firm 'laundered' $6,200 of unlawfully taken cash from Puccini in order to pay a Kreindler bill?

Think of it! In order to conduct an investigation, the Feltman firm has the court appoint the accountants for the accused.

Think of it! In order to conduct an investigation of the accused, the Feltman firm requests the appointment of accountants who had 'laundered' monies to such accountants from unlawfully taken cash trust assets of Puccini.

Why did not the Feltman firm disclose the disqualifying relationship to the Court when it requested the appointment?

How many times did the Feltman firm, by affidavit, advise federal and state courts and the undersigned that they had 'all' the financial books and records of Puccini, now more than one-half are missing?

Let Mr. Schneider explain to Hon. Ethel B. Danzig why the receiver and his firm has not interposed a first party defense to his third party answer in view of the massive unlawful dissipation of judicially entrusted assets!

Mr. Schneider will go flying out the window before I will allow him to defile the courtroom of Hon. Ethel B. Danzig! He can confine his corrupt practices to the courtroom of Referee Diamond!

My alleged crime is that I exposed Feltman and his firm, agents of the court, to be Judas, in the Temple of Justice!

For a consistent perfidious course of conduct over the years, not a single act like Judas or Benedict Arnold, they want almost $200,000 from Puccini, the rapee!

In Fall River (or was it New Bedford), they gang rape in the poolroom and justice is done in the courtroom!

In Supreme Court, New York County, the rape takes place in the courtroom, with the rapee paying the rapors for the privilege, and receive the active and overt cooperation of Referee Donald Diamond!

In World War II, I did not care what uniform the person was wearing! If he told me he sunk 100 American and British ships, I knew he was on the other side!

At common law, judges and lawyers who betrayed their trust had to face charges punishable by death.

Courthouse are where 'cases and controversies' are resolved, not the forum for 'pay-offs'! "

c. On Mr. Straus' part, at a minimum, his obligation was to report affirmant's charges against FKM&F and K&R (Disciplinary Rule. 1-103)

4a. On January 4, 1985, an Order by Hon. MARTIN EVANS was entered which vindicated both your affirmant and his client, HYMAN RAFFE ["Raffe"] of non-summary criminal contempt.

This vindicating Order was the result of a more than two (2) year study by Hon. MARTIN EVANS, and mandated the termination of the Schneider complaint.

b. This was followed by Order of Hon. ETHEL B. DANZIG and the clearly expressed intentions of Hon. KENNETH L. SHORTER, thereafter memorialized by a written Order, which clearly sounded the death-knell to the charges leveled against your affirmant, by Mr. Schneider.

5a. Instead, FKM&F and KREINDLER & RELKIN, P.C. ["K&R"], operating in consort with Administrator XAVIER C. RICCOBONO and Mr. Straus, had Mr. Justice IRA GAMMERMAN, enter two (2) sham Orders which had no subject matter nor personal jurisdiction, as a basis thereof.

b. Affirmant, not aware that Mr. Straus was one of the prime architects of this corruption, and with affirmant mandated to cooperate with Mr. Straus under the rules of the Disciplinary Committee, gave Mr. Straus the details, play-by-play, of the on-going corruption by the Kreindler-Feltman entourage.

c. Thus, affirmant's letter to Mr. Straus of January 22, 1985, reads as follows:

"Dear Mr. Straus,

1. Do you, your committee, or Hon. Martin Evans desire to understand the documents of Hon. Thomas V. Sinclair, Jr.?

2a. On January 14, 1985, the Kreindler & Feltman firms submitted an Order with Notice of Settlement containing seven (7) pages of decretal paragraphs, 95% of which was not granted to them by Mr. Justice Ira Gammerman or specifically denied to them in a transcribed short record!

b. There is not a single decretal paragraph which complies with His Honor's determination.

3. <u>How did they expect to get away with this!</u>

a. On Thursday, January 10th, 1985, at about 7:30 p.m., I was served with a proposed order with notice of settlement for Monday, January 14, 1985.

b. The clerks in Special I were checking orders for January 3, 1985 when I was at Special I that morning, and by mere happenstance saw Mr. Gerstein and Mr. Schneider at an upper level trying to convince Bernard Dickheiser, Esq., to review their proposed order and forward same to Mr. Justice Gammerman for immediate signature, since as they stated 'he knows about it'!

c. Instead of the court minutes, containing His Honor's decision of a month previous, they had two affidavits which purported to state the holdings of Mr. Justice Gammerman. The stenographic minutes are blatantly misleading, if not perjurious.

To repeat -- they had repeatedly incorporated in their proposed order matters which had been specifically denied to them by Mr. Justice Gammerman.

d. Most of the decretal paragraphs provided for relief not even requested and some patently ludicrous! For example:

> "permanently enjoined and restrained Hyman Raffe and [your deponent] from filing or serving, or attempting to intervene in or initiation in any court, tribunal, agency or other forum of this State, any lawsuit, proceeding, <u>investigation</u> or other adversary matter, and <u>from making or filing a complaint, grievance or correspondence with a professional disciplinary or grievance committee</u> ... <u>the making or filing of any complaint, grievance or correspondence with a professional disciplinary or grievance committee</u> ... <u>from corresponding or communicating with any person or entity in a manner which seeks or tends to affect the persons, property, employment, insurance coverage, credit rating, professional standing, family, or any other interest of any person or entity</u> ..." [emphasis supplied]."

Could any order clerk, even one as competent as Bernard Dickheiser, Esq., be fooled or make an error when <u>everything</u> contained in such proposed order is manifestly improper? Of course, particularly when the stenographic minutes are not supplied, only their affidavits!

4a. This, I submit, is what happened to the Judge Sinclair documents. His Honor, albeit on 'switched', 'substituted', and 'changed' submitted papers, nevertheless denied the motion to disqualify.

b. This did not phase the Kreindler firm, they inserted a disqualifying provision anyway!

5a. Of course, I alerted Mr. Dickheiser to the fact that there were minutes and requested that he hold up the matter until the minutes were received.

b. Based upon such transcript, enclosed is a copy of my affidavit in support of my counter-order.

6a. I do not want you to dismiss the complaint herein, I desire a hearing! Similarly, I wanted a hearing from Judge Evans! Only with a hearing can there be clear and decisive vindication, and the culprits placed in the limelight!

b. Think of it, even if you did not before, I cannot state or show in judicially submitted papers that there was extensive larceny of judicially entrusted assets, they committed perjury, or acted corruptly, without fearing a contempt proceeding!"

d. In greater detail, your affirmant described the anatomy of the corrupt Order of Mr. Justice IRA GAMMERMAN, entered on January 24, 1985, to Mr. Straus and others, essentially as follows:

"Except for adjourning motions for about a week, for a date when His Honor was again scheduled to sit, the first disclosed association of Mr. Justice GAMMERMAN with the Puccini matter was December 19, 1984, at Special Term Part I, wherein a court transcript of the very short judicial proceedings is available.

Insofar as such transcript is relevant herein, it reveals the following:

> "THE COURT: I'm going to stay all the actions against the lawfirms. That's my intention. I'll listen to Mr. Sassower, but after reading all the papers, it was my intention to stay actions against the lawfirms, let litigation proceed against the non-lawfirm defendants, if there is any basis for the lawfirm actions, an application may be made by Mr. Sassower to vacate the stay and I think you should make a motion to dismiss the actions against the officer." [emphasis supplied]

The Court never modified, nor enlarged the above stay during the proceedings that followed, or at any time thereafter!

Indeed, Edward Weissman, Esq., formerly of K&R, and now interestingly of FKM&F, was openly surprised and disturbed by the limited nature of Mr. Justice IRA GAMMERMAN's injunction at the time, and the following appears at the conclusion thereof:

> "MR. WEISSMAN: The actions against the law-firms --
> THE COURT: Are stayed."

Clearly then, the above action against non-law firm individuals, which then existed or thereafter commenced, including the one commenced on January 7, 1985, was not within any Order, and no one at the time contended otherwise.

Otherwise stated, on January 7, 1985, this action (Index No. 643-1985) was legally commenced, violated nothing, and indeed was in response to Sassower's professional responsibility to 'zeolously' represent his clients (Disciplinary Rule 7, Code of Professional Responsibility).

Thereafter, ex parte and sub rosa communications transpired by and between Mr. Justice IRA GAMMERMAN, Administrator XAVIER C. RICCOBONO, FK&M, and K&R, and Mr. Justice IRA GAMMERMAN, notwithstanding His Honor's decision and order, as transcribed on the record, agreed to sign anything K&R and FK&M submitted to His Honor for signature.

The eighteen (18) cause of action verified complaint, with great specificity and documentation, sets forth the criminal and corrupt practices of K&R, FK&M, and also of Administrator XAVIER C. RICCOBONO, and Referee DONALD DIAMOND.

The Orders that were submitted to Mr. Justice IRA GAMMERMAN, in their 'ordering paragraphs', no more reflected the transcribed decision of December 19, 1984, than 'lightning' resembles a 'lightning bug'.

Thereafter, after the above action was commenced, Mr. Justice IRA GAMMERMAN, as a result of these ex parte communications, not only granted what had been specifically denied, but also signed orders which contained false and perjurious 'recital clauses'.

The false and perjurious recital clauses were not based on the minutes which are invariably submitted as part thereof, but on a perjurious affidavit of MICHAEL J. GERSTEIN, Esq. ['Gerstein'] of K&R, and DONALD F. SCHNEIDER, Esq. ['Schneider'] of FK&M, specifically recited in such Order!

The pertinent portions of the Order dated January 23, 1985 [entered January 24, 1985] reads as follows:

> "this Court having rendered an oral decision on December 19, 1984, granting the motions and extending the temporary restraining orders contained within the Orders to Show Cause hereinabove specified: And upon the affidavit of Michael J. Gerstein sworn to on January 9, 1985, and the Exhibits thereto, and the affirmation of Donald F. Schneider, dated January 9, 1985, and the exhibits thereto, it appearing therefrom that, that

notwithstanding the force and effect of the restraining orders contained in the aforesaid Order to Show Cause as extended by this Court on December 19, 1984, Raffe and Sassower published and distributed process dated January 7, 1985, purportedly instituting actions in this Court entitled: (a) Hyman Raffe ... (b) Hyman Raffe ... and (c) Hyman Raffe ...

'ORDERED, that Hyman Raffe and George Sassower be, and they hereby are, permanently enjoined and restrained from prosecuting against any of the Movants the actions entitled Hyman Raffe ... each of which actions has been published, distributed and purportedly served by summons dated January 7, 1985, which is subsequent to the temporary restraining orders dated December 7, 1984 extending the temporary restraining orders and granting a permanent injunction to Movants ..."

Consequently, by ex post facto ukase, what was previously denied, was now granted; what Sassower and Raffe had lawfully done, was now declared unlawful; and this action, which inured to the benefit of Puccini, as well as Dann and Sorrentino, was by the corrupt minds of Feltman, the judicial receiver, his law firm, FK&M, and Administrator XAVIER C. RICCOBONO now 'stayed'!

Obviously, also, Mr. Justice IRA GAMMERMAN, also totally disregarded his administrative obligation to insure that a helpless trust, a constitutional 'person', within the meaning of the XIV Amendment, receive its proper legal protection in the judicial forum!

e. Obviously in conveying all affirmant's confidential information to Mr. Straus, as he was specifically mandated by Mr. Straus, affirmant was unaware that Mr. Straus was in conspiratorial consort with Mr. Schneider, his firm, and others, and certainly unaware that he was the "John Doe" in affirmant's action."

6a. Twenty-six (26) days after the vindicating Order of Mr. Justice MARTIN EVANS of January 4, 1985, FK&M totally disregarding its "former jeopardy" implications (Smalis v. Pennsylvania, U.S. , 106 S.Ct. 1745; Burks v. U.S., 437 U.S. 1; Benton v. Maryland, 395 U.S. 784; U.S. v. Oppenheimer, 242 U.S. 85; People v. Farson, 244 N.Y. 413), commenced new proceedings against affirmant and Raffe based on the same accusations and allegations.

b. The Court referred such new contempt proceedings to Hon. MARTIN EVANS, but this time, Administrator XAVIER C. RICCOBONO, compelled Mr. Justice MARTIN EVANS to refer same to Referee DONALD DIAMOND.

c. At the time, both Administrator XAVIER C. RICCOBONO and Referee DONALD DIAMOND were actual, live, real defendants and/or respondents in state and federal court where money damages were sought from them, arising out of the Puccini litigation (Judiciary Law §14; Aetna v. Lavoie, U.S. , 106 S.Ct 1580, 89 L.Ed2d 823).

d. Together with Mr. Justice IRA GAMMERMAN, another selectee of Administrator RICCOBONO, they were designated in federal papers as the "trio of judicial fixers"!

e. Referee DONALD DIAMOND, in his non-public courtroom (see Newsday, November 2, 1986), where "pay-offs" are the "coins of the realm", without a trial or hearing found both affirmant and Raffe in separate reports to be in multiple counts of criminal contempt, and recommended huge fines be imposed upon them, as well as terms of incarceration.

f. It was this conviction which was vacated by Judge DAVID N. EDELSTEIN review of the Report of U.S. Magistrate NINA GERSHON (Sassower v. Sheriff, 651 F. Supp. 128).

g. The mirrored report of Referee DONALD DIAMOND against Raffe, was never moved for confirmation in consideration of Raffe paying FKM&F hundreds of thousands of dollars, giving other considerations worth in the millions, including releases by Raffe to Administrator XAVIER C. RICCOBONO, Mr. Justice IRA GAMMERMAN, Referee DONALD DIAMOND, Mr. Justice ALVIN F. KLEIN, and the members of the firm of FKM&F.

h. Obviously, Mme. Justice O'Conner was does not recognize the corrupt activities in this area, when Her Honor stated:

> "No court would knowingly permit a prosecutor to agree to [compound criminal proceedings] in exchange for the defendant's cash payment to [his prosecutors]". (Town of Newton v. Rumery, U.S. , 107 S.Ct. 1187) "

7a. In addition to the trial-less conviction in the Report of Referee DONALD DIAMOND, FKM&F and K&R, with the knowledge and cooperation of Mr. Straus obtained four (4) other criminal contempt convictions against your affirmant, all trial-less, and some without even criminal charges lodged against your affirmant, in the one (1) year period of 1985-1986.

b. In each and every case, the trial-less convictions were by jurists against whom affirmant had evidence prior evidence of their participation in the criminal activities of K&R and FKM&F.

c. Unquestionably these trial-less convictions were "not entitled to respect in any other court" Windsor v. McVeigh, 93 U.S. 274, 277; Ex parte Terry, 128 U.S. 289, 307; United States v. Lumumba, 741 F.2d 12, 15-16 [2d Cir.]).

d. The "criminals with law degrees", with their co-conspirator, Mr. Straus, not having a single order which adjudicated affirmant to have violated anything, simply engineered the corrupt Gammerman orders, and then, without trial, had affirmant convicted of criminal contempt.

e. Thus, throughout the disciplinary testimony, one finds Straus tendering the Gammerman orders, as if they were brought down from Mount Sinai, and not permitting affirmant to introduce any evidence of how they were obtained.

8a. Armed with these convictions, which Mr. Straus actually knew were void and unconstitutional, in addition to having been secured by fraud and corruption, he presented the matter to the Grievance Committee, a body akin to the Grand Jury, without disclosing, on information and belief, the infirmities of these convictions, his participation in obtaining same, and that he was "John Doe", the civil adversary of your affirmant.

b. Mr. Straus thereafter made, on information and belief, a similar presentation to the Appellate Division, and had himself appointed as prosecuting attorney.

9a. On October 10, 1985, affirmant served the following document.

"SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : SECOND JUDICIAL DEPT.
---x
In the Matter of GEORGE SASSOWER, an
attorney and counselor-at-law,
GRIEVANCE COMMITTEE FOR THE SECOND AND
ELEVENTH JUDICIAL DISTRICTS,
Petitioner,
GEORGE SASSOWER,
Respondent.
---x

To: Hon. Francis T. Murphy, Presiding Justice
Hon. Theodore R. Kupferman, Justice Presiding
Hon. Joseph P. Sullivan
Hon. Arnold L. Fein
Hon. Bentley Kassal
Hon. Ernst H. Rosenberger

Pursuant to Brady v. Maryland (373 U.S. 83); United States v. Agurs (427 U.S. 97); and statutes and decisions of similar import, it is respectfully requested that individually you shall forward the information hereinafter requested to ROBERT H. STRAUS, Esq., Attorney for the Grievance Committee, at 210 Joralemon Street, Brooklyn, New York, 11201, for appropriate disposition.

1a. Are Your Honors aware of any decision or opinion, anywhere in the United States, which Your Honors, individually, consider authoritative since Bloom v. Illinois (391 U.S. 194) which holds that a person may be convicted, sentenced, and incarcerated for non-summary criminal contempt, absent a plea of guilty, without a trial?

b. If the response is in the affirmative, set forth that or those decisions or opinions.

2. Set forth any and all *ex parte* communications regarding the affirmances of the convictions of GEORGE SASSOWER, Esq., which are or may be proscribed by Canon 3 of the Code of Judicial Conduct, including to or from Hon. Xavier C. Riccobono or on his behalf.

3. Set forth any vindicating, exculpatory, or mitigating facts or circumstances regarding the aforesaid convictions, including the assertions made that (1) Lee Feltman, Esq. and Feltman, Karesh & Major, Esq., are conducting themselves contrary to the legitimate interests of Puccini Clothes, Ltd., their judicial trust; (2) Arutt, Nachamie, Benjamin, Lipkin & Kirschner, P.C., are acting contrary to the legitimate interests of their clients; (3) Senior Assistant Attorney General David S. Cook, Esq., is representing members of the judiciary and simultaneously the statutory representative of Puccini Clothes, Ltd; and (4) Kreindler & Relkin, P.C. engineered the unlawful

dissipation of the assets of Puccini Clothes, Ltd., after June 4, 1980.

Dated: October 10, 1985

Yours, etc.,

GEORGE SASSOWER, Esq.
Attorney for respondent-
pro se

To: Robert H. Straus, Esq.
Appellate Division, Second Dept."

b. A similar demand was made to Mr. Justice DAVID B. SAXE and Mr. Justice ALVIN F. KLEIN, who convicted affirmant at nisi prius.

c. Consequently, Mr. Straus, hereagain had actual knowledge of the invalidity of these trial-less convictions, but nevertheless pressed for the disciplinary proceedings against affirmant.

d. The point is that Straus, the prosecuting attorney, was instrumental in obtaining these unconstitutional and fraudulent convictions, and concealed his transactional involvement in same.

10a. It simply would be a herculian task to set forth all the perjurious testimony and fraudulent documentation that Straus affirmatively introduced knowing the true significance of same.

b. Under no view of the facts or law could Mr. Straus serve as a prosecuting attorney, without violating affirmant's due process rights.

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

Dated: June 10, 1987

GEORGE SASSOWER

GEORGE SASSOWER, Esq., affirms the following to be true under the penalty of perjury.

On June 10, 1987, I served copies of the within Notice of Motion and Affirmation upon George G. Gallantz, Esq., by mailing a copy of same in a post-paid wrapper addressed to him at their last known address.

Dated: June 11, 1987

GEORGE SASSOWER