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NEW YORK STATE SENATE  
STANDING COMMITTEE ON JUDICIARY

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PUBLIC HEARING IN THE MATTER OF  
AN EXAMINATION OF THE JUDICIAL DISCIPLINARY PROCESS  
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Senate Hearing Room  
250 Broadway  
19th Floor  
New York, N.Y.

September 24, 2009  
Thursday  
10 a.m.

- BEFORE:            Senator John Sampson  
                         Chair  
                         Judiciary Committee
- Senator Bill Perkins  
                         Chair  
                         Corporations, Authorities & Commissions
- Senator George D. Maziarz
- Senator Eric Adams
- Senator Ruben Diaz

- OTHER STAFF MEMBERS:
- Shelly Mayer  
                         Majority Counsel
- Lisa Lashley  
                         Counsel

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1 and good morning, and I think the first  
2 person Richard Kuse of New City, New City,  
3 are you here?

4 The process is you have ten minutes.

5 MR. KUSE: Ten minutes like the last  
6 time, or a California ten minutes?

7 SENATOR SAMPSON: No, it's going to  
8 be a New York City 10 minutes, not an Albany  
9 ten minutes, New York City ten minutes.

10 So the clock is running.

11 MR. KUSE: Thank you very much,  
12 Senator Sampson, I appreciate your integrity  
13 and Mr. Adams' integrity.

14 I would like to start off by quoting  
15 Mrs. Carvel who at the June 8th hearings who  
16 said that the Surrogates Court System of the  
17 State of New York was a criminal enterprise,  
18 or she said it was a criminal empire, either  
19 one would be correct.

20 I believe that she had obviously lost  
21 \$100 million dollars or \$150 million when  
22 somebody looted her estate.

23 I believe additionally hundreds of  
24 millions of dollars, if not more, are being

1 drained from the economy of the State of New  
2 York and from the People of the State of New  
3 York and I detect an emphasis on taking the  
4 homes and property of black families in the  
5 State of New York on top of it.

6 I would like to also invoke Catherine  
7 Wilson, the investigative reporter, super  
8 accountant par excellence from the  
9 Westchester Guardian, and I would like to  
10 invoke the New York State Whistle Blower's  
11 Law on what we can reveal would save the  
12 State of New York probably hundreds of  
13 millions of dollars in stolen assets, or  
14 routed assets from the honest and legitimate  
15 families of the State of New York.

16 Presently at this time, at this moment,  
17 part of a group of forgers are living in a  
18 home paid for from money looted from my  
19 agent uncle's bank accounts before his  
20 death.

21 In addition, my aunt Genevive Corrigan,  
22 who is still alive at 99 years old, bless  
23 her little heart, had her trust fund looted  
24 which was contained within my uncle's Will,

1 a Will that was proven to be a forgery.

2 And an uncontested forgery at that.

3 And she would like her trust fund returned  
4 before she dies, she's 99 years old at this  
5 moment.

6 SENATOR SAMPSON: Who looted the  
7 trust fund?

8 MR. KUSE: I don't want to say at  
9 this point. It's apparent in my paperwork  
10 that I have given to you.

11 SENATOR SAMPSON: Okay.

12 MR. KUSE: My uncle died in December  
13 of 1999. When we finally got a copy of my  
14 uncle's Will it was noted that my -- it was  
15 not the Will that my mother remembered.

16 My mother is the sister of Charles  
17 Maxwell. When we looked at the Will, we saw  
18 that my uncle had made a glaring error to  
19 the Will, he made his dead mother an  
20 Executor to his will.

21 She died 30 years before, he paid for  
22 the funeral, he was at the funeral, okay?  
23 He did not make a mistake in the Will.

24 Our family knew my uncle was a very

1 exacting man who would have never made such  
2 a glaring error, we could not understand why  
3 the Surrogates Court Judge insisted over our  
4 protest that he knew our uncle better than  
5 we did, and insisted that the glaring error  
6 was a common error of my uncle.

7 Really? I don't think so. We could  
8 not understand why the judge and the lawyers  
9 were in such a rush to fast track my uncle's  
10 Will through his court.

11 We could also not understand why the  
12 judge kept allowing the opposing law firm to  
13 resist and break years of the judge's own  
14 court orders to provide an estate  
15 accounting. To this day we don't have an  
16 estate accounting.

17 Mrs. Catherine Wilson; a forensic  
18 accountant of superior grade, who worked for  
19 the Rockefeller family, said you couldn't  
20 make heads or tails of what they gave us.

21 During this time, during the time of a  
22 deposition the opposing lawyers gleefully  
23 pronounced that they had created my uncle's  
24 Will, with the glaring error in the Will and

1 the rush to push it through the court, the  
2 refusal to comply with court orders by the  
3 attorneys to account for the estate assets,  
4 a national forgery expert was hired by  
5 myself.

6 To our shock the Will turned out to be  
7 a stone cold forgery.

8 Now it becomes apparent the reason  
9 behind the glaring name mix up in the Will;  
10 Will listing a long dead relative as an  
11 executive.

12 I don't know, do you think a dead  
13 relative in your family could manage your  
14 estate?

15 I don't think anybody could believe  
16 that.

17 But they managed to believe that in  
18 Nassau County.

19 The forgery also revealed the motive or  
20 the breaking of court orders to account for  
21 the estate assets including my uncle's  
22 expensive two story home in Woodside Queens.  
23 Sold via a forged will.

24 An uncontested forged will. Because my

1           uncle's home was located in Queens, we took  
2           the forgery report to the Queens D.A. in  
3           charge of professional conduct.

4                    That D.A. did a Grand Jury  
5           investigation, the investigation included  
6           the law firm that created the Will and  
7           others court officers.

8                    The D.A. told us she believed the  
9           origin of the forgery and the crime started  
10          in Nassau County.

11                   The Queens -- that D.A. told us whoever  
12          did an investigation of the Charles Maxwell  
13          forgery estate death would open up a  
14          Pandora's box of forged Wills, forged deeds,  
15          forged accountings and mostly forged  
16          accountings in New York State.

17                   My lawyer and I thought the D.A. From  
18          Queens was telling us about the Nassau  
19          County. She was not. I have to reiterate  
20          what Mrs. Carvel said.

21                   The Surrogates Courts in the City of  
22          New York are a criminal enterprise.

23                   She was right. The Queens  
24          investigation file was passed to Nassau,



1 where it disappeared. Three years after my  
2 uncle's death and in clear violation of New  
3 York estate law we could not get an  
4 accounting of the missing assets which were  
5 looted from my uncle's bank accounts before  
6 he died.

7 An August morning in 2003 the opposing  
8 lawyers are required to finally produce the  
9 estate accounting at 10:00 in the morning.

10 For two hours the opposing lawyers  
11 failed to show with the accounting.

12 In those two hours waiting for the  
13 lawyers and the accounting, the Nassau court  
14 called me four times telling me to take  
15 \$40,000 and a gag order to sweep this  
16 growing mess out of this court.

17 I believe that \$40,000 was an admission  
18 of guilt, and they wanted me to take a gag  
19 order.

20 We came to this court not to be bribed  
21 into silence but to find those who forged  
22 the Will and where all my uncle's bank  
23 accounts went and vanished.

24 And a particular item which Mrs.

1 Catherine Wilson and I will be indicating to  
2 you might produce hundreds of millions of  
3 dollars in missing funds from the State of  
4 New York, and that is vanishing returnable  
5 security deposits due back to estates but  
6 through mishandled accountings, and I am  
7 being generous here with that word, those  
8 returnable security deposits appear to be  
9 vanishing, amongst other things.

10 At 12:00 noon court was cancelled  
11 because the opposing lawyers don't show and  
12 now we are out in the hall.

13 And the outside of the hall is a court  
14 of no record, suddenly and miraculously the  
15 opposing attorneys show up with an  
16 accounting that Mrs. Catherine Wilson says  
17 you couldn't make heads or tails of.

18 We are forced to accept it, the court  
19 tells us that we have to take the accounting  
20 because the court officer just got a call  
21 that the judge insisted we take the  
22 accounting.

23 Well, I just walked out with him, how  
24 in the world was that possible, the guy was

1           30 feet, 30 seconds move out of the court  
2           into the hallway, he made no phone calls and  
3           received no phone calls. How did he know?  
4           It was a set up. The accounting was  
5           non-accounting. And at this point I would  
6           like to read a little statement about the  
7           law. When one conveys a false impression by  
8           disclosure of some facts and concealment of  
9           others, such as the concealment in effect is  
10          false representation that what is disclosed  
11          is the whole truth.

12                    We had an accounting that didn't  
13                    account for anything, okay, false  
14                    representation.

15                    I would also like to read that this is  
16                    from Black's Law, an intentional perversion  
17                    of the truth for the purpose of inducing  
18                    another into reliance upon it with some  
19                    valuable thing belonging to him or to  
20                    surrender some legal right, that's fraud.

21                    We were presented a fraudulent,  
22                    uncontested fraudulent Will and a fake  
23                    accounting deliberately concealing material  
24                    evidence.

1 Out in the hall in Nassau County --

2 SENATOR SAMPSON: Try to wrap it in  
3 two minutes.

4 MR. KUSE: We had to do an appeal, we  
5 submitted an appeal of the judge's decision  
6 against us, after telling us that promised  
7 us we would have a trial and an accounting.

8 And we were not allowed that promise, I  
9 had to do an appeal.

10 We submitted the appeal in 2004 and we  
11 were told my phone calls, my paperwork from  
12 my attorney, all through 2004, that the  
13 Appellate Court had not made a decision.

14 We called all through 2005 and we were  
15 told by the Appellate Court that no decision  
16 had been reached.

17 We called into 2005, mind you this is  
18 over and over and I have letters to prove  
19 it, that there was no decision reached on my  
20 uncle's case.

21 In the spring of 2006 I called the  
22 Appellate Court again and I am told that a  
23 decision was reached in 2004.

24 Basically, gentlemen, somebody is

1           lying, and I have the paperwork to prove  
2           that we are not.

3           After that point I had to go to OCA.

4           I don't even want to tell you what  
5           happened there, but I was followed by an  
6           Asian person on several occasions, because  
7           of a critical piece of information that Mrs.  
8           Catherine Wilson and I believe will reveal  
9           hundreds of millions of dollars being looted  
10          from the accounts of the State of New York  
11          and the decent families of the State of New  
12          York, and that is returnable security  
13          deposits.

14          I was followed on several occasions and  
15          only the office of court --

16                 SENATOR SAMPSON:        What do you mean by  
17          returnable security deposits?

18                 MR. KUSE:            When you send a person  
19          into a nursing home -- thank you for that  
20          question -- when you send a person, an  
21          elderly person into a nursing home in the  
22          State of New York you have to come up with  
23          about \$30,000 returnable security deposit.

24                 If that person dies or if they move to

1 another state, the average death rate in a  
2 nursing home is about 100 people a year, now  
3 if that \$30,000 does not come back, that's  
4 about \$3 million if there is fake  
5 accountings that are brought into court.

6 So now you have 30 times 100, that's  
7 about \$3 million, now in Rockland County we  
8 have a number of nursing homes, let's just  
9 say it's 10, now you are looking at \$30  
10 million, now multiply that by the number of  
11 nursing homes in the State of New York, and  
12 if fraudulent accountings are being brought  
13 in the courts of the State of New York, they  
14 are being turned into laundries for  
15 criminals.

16 Understand? I think you do. This is a  
17 serious crime.

18 SENATOR SAMPSON: The returnable  
19 security deposit is what?

20 MR. KUSE: Should be coming back to  
21 the estate.

22 SENATOR SAMPSON: It is given to the  
23 nursing home?

24 MR. KUSE: Well, that is supposed to

1 be provided in an accounting when the case  
2 goes to a Surrogates Court.

3 SENATOR SAMPSON: Who pays the  
4 \$30,000, the individual?

5 MR. KUSE: The person that put the  
6 elderly person in, a lot of times it private  
7 pays, and these are sometimes the victims  
8 here, but somebody is looking for people  
9 that don't have any relatives around that  
10 may own -- well, look at Mr. Garfield  
11 Gillens, a black artist from Brooklyn, he's  
12 still trying to get his place back and all  
13 his paintings were robbed, I could list you  
14 a number of black families, Mrs. Acosta,  
15 Mrs. Murdock I think her name was, the three  
16 women from Queens whose family -- who were  
17 living in their homes, black widows and  
18 their homes were sold out from underneath  
19 them by the Clerk of the Court, who was a  
20 CPA.

21 This is Jonathan Demick's brother, it  
22 was in the Post.

23 I'm not making it up. I think I have  
24 extended my time, but I think you got my

1 point.

2 SENATOR SAMPSON: Definitely, Mr.  
3 Kuse, you have extended your time, but do  
4 any of my colleagues have any questions?

5 We have been joined by my good  
6 colleague Reverend Diaz from the Bronx.

7 MR. KUSE: Pleasure to meet you.

8 SENATOR DIAZ: Thank you. Let me ask  
9 you a question, those \$30 million you said,  
10 why do you think that the Attorney General  
11 doesn't look into that yet?

12 MR. KUSE: We have brought it to his  
13 attention. Why the only person who appears  
14 to be doing anything is Mr. Sampson here  
15 and Mr. Price, I guess from Harlem, or  
16 Perkins from Harlem and Mr. Paterson.

17 SENATOR DIAZ: You are saying the  
18 Attorney General knows all this?

19 MR. KUSE: He told me to stop writing  
20 him letters. That ain't going to happen on  
21 my watch.

22 SENATOR SAMPSON: Mr. Kuse, if you  
23 can provide me with some more information,  
24 I'm very interested in this returnable



1 security deposit.

2 SENATOR DIAZ: Me, too.

3 MR. KUSE: We would like to invoke  
4 the Whistle Blower's Law because we know  
5 there is a good chance that hundreds of  
6 millions of dollars, if not billions of  
7 dollars --

8 SENATOR SAMPSON: Who is that you are  
9 pointing to?

10 MR. KUSE: That's Ms. Catherine  
11 Wilson.

12 SENATOR SAMPSON: Why don't you have  
13 that seat. I just want to ask you some  
14 questions about this returnable security  
15 deposit.

16 MR. KUSE: This woman is brilliant.

17 SENATOR SAMPSON: We are very  
18 interested in that.

19 MS. WILSON: Senators, thank you for  
20 your time. My background is several things,  
21 I used to be an auditor, I did not work for  
22 the Rockefeller's, I actually was a global  
23 auditor for Reader's Digest conducting  
24 operational audits and reported directly to