

DORIS L. SASSOWER

283 Soundview Avenue, White Plains, NY 10606-3821 • TEL: 914/997-1677 • FAX: 914/684-6554

March 10, 1997

FAX: 1-212-857-8755

Staff Counsel Stanley Bass
U.S. Court of Appeals for the Second Circuit
Foley Square
New York, N.Y. 10007

Re: Sassower v. Mangano
Docket #96-7805

Dear Staff Counsel Bass:

This letter is to report to you developments since your February 25, 1997 Order denying Mr. Weinstein's request for extension of time to file an Appellee's Brief, as to which they have been in continuing default since February 19, 1997.

On March 6, 1997, I received in the mail from Mr. Weinstein two copies of Appellees' Brief, and two copies of a corrected version of such Brief. The Clerk's Office advises me its docket notes same as having been received by the Court on March 5, 1997. Plainly, such purported service of the Appellees' Brief is unauthorized by your aforesaid Order, and yet another example of Mr. Weinstein's disregard of court orders.

Your aforesaid Order in no way addresses my request for sanctions against Appellees and their counsel for their frivolous litigation misconduct. Nonetheless, and without penalty or reproof, it also gave the Attorney General leave to renew his motion on a proper showing. However, notwithstanding such undeserved leniency, as of this date, I am still not in receipt of any such motion by him, as Appellees' counsel, either by fax or by mail. I called your office last week following my receipt of Mr. Weinstein's purported Reply Briefs in order to find out if any extension motion had been received by him. Due to Mr. Mizrahi's unavailability, which I learned today would continue until Wednesday, I called the Clerk's office earlier today. They informed me that such extension motion was docketed on March 5th, with the notation of the Court's receipt of the Appellees' Briefs on the same date, along with a purported proof of service. I requested a copy of same, but was told that same was unavailable from the Court Clerk's file because, according to the Clerk's Office, the motion papers were with you. However, your assistant, Ayeesha, could not locate it and had no record of having received it.

Despite the fact that no Order has been issued giving Appellees' leave to serve their Appellees' Brief upon me or to submit same to the Court, according to the Clerk's Office, receipt of such Appellees' Brief on March 5, 1997 means that "the scheduling order stands." Thus, my Reply Brief would be due on March 15, 1997.

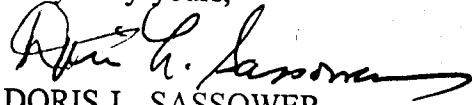
EX "G"

It would appear that Mr. Weinstein's purpose in submitting his Appellees' Brief to the Court, while not faxing or mailing his extension motion to me was to start my 10-days reply time running, thereby barring me from such right of reply before I even have a chance to oppose his renewal motion and, needless to say, before you even have a chance to decide same.

In the interests of justice and judicial and legal economy, I respectfully request that you take no action on Appellees' purported extension motion, filed on March 5, 1997 -- which I have not yet received or seen, as hereinabove indicated, other than to dismiss it for lack of any service upon me -- and that Appellees' unauthorized Briefs likewise received by the Court on that date be summarily rejected by the Court. In any case, I ask that the aforesaid receipt thereof by the Court on March 5th not be deemed to trigger the running of my time to serve and file my Reply Brief, and that I be given a reasonable time to oppose Mr. Weinstein's extension motion after he duly serves me with a copy, if his motion is not to be summarily dismissed on jurisdictional grounds.

To avoid possible prejudice to my appellate rights resulting once again from Mr. Weinstein's litigation misconduct and continuing unethical practices, I would greatly appreciate your immediately notifying the Clerk's Office of this letter being faxed to you, inasmuch as such Office stated that it was not its policy to disclose its fax number.

Very truly yours,



DORIS L. SASSOWER

Appellant Pro Se

cc: AAG Jay Weinstein (via fax)
Clerk's Office (via mail)