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Committee on Professional Standards
40 Steuben Street
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May 10, 2012

Re: Robert Abrams #1072537
Alan S. Kaufman #1036706

"[a] federal court must examine each claim in a case to see if the court's jurisdiction over that claim is barred by the Eleventh Amendment (*Hans v. Louisiana.* 134 U.S. 1 [1890])." *Pennhurst v. Halderman* (465 U.S. 89, 121 [1984][emphasis supplied])

Sirs:

1. This disciplinary complaint against *Robert Abrams*, Esq., the former New York State Attorney General ["NYSAG"], whose office, while he was the NYSAG, was in Albany, and this complaint is limited to his misconduct in *Geo. Sassower v. Mahoney* (88 Civ. O563 [NDNY-CGC]), which litigation took place in the Third Judicial Department of the State of New York.

By reason of the aforementioned, and because the misconduct of *Robert Abrams*, Esq., was & is inextricably related to the alleged misconduct of, *inter alia*, *Frederick J. Scullin*, Esq., against whom a related complaint has been previously filed, this tribunal would seem manifestly appropriate to entertain this application.

However, if this Committee believes otherwise, request is made that this matter be transferred to an appropriate sister tribunal.

2. The New York State defendants in *Geo. Sassower v. Mahoney* (*supra*), all sued for money damages, were defended by Assistant NYSAG *Lawrence L. Doolittle*, now deceased, & Assistant NYSAG *Alan S. Kaufman*, who was, at the time, in Charge of the Litigation Bureau, located in Albany and who now maintains an office in Albany for the practice of law.

Count I

["***Coram Non-Judice***"]

1. The NY State money damage tort defendants in *Geo. Sassower v. Mahoney* (*supra*) were: (1) *Francis T. Murphy* #1122126 ; (2) *Milton Mollen* #1015726; (3) *Xavier C. Riccobono* #1059591; (4) *Alvin F. Klein* [deceased]; (5) *David B. Saxe* #1059260; (6) *Ira Gammerman* #1008689, and (7) *Robert Abrams* and they were defended by *Doolittle-Kaufman* in their "*personal capacities*", at *unconstitutional* New York State cost & expense.

By reason of Amendment XI of the Constitution of the United States (*Hans v. Louisiana*, 134 U.S. 1 [1890]), absent the rare exceptions, here never present, the aforementioned New York State defendants could *not* be "sued", in tort, for money damages, in their "*official capacities*", in a federal forum.

2A. *Every* law student is *taught* and *every* Article III federal jurist *knows,* as did *Doolittle-Kaufman,* the Amendment XI/*Hans* "*subject matter jurisdictional*" lethal infirmity, whose presence renders the merit dispositions made to be "*null & void*"!

The Supreme Court of the United States in *Pennhurst v. Halderman* (*supra*), merely repeated what courts have uniformly stated, *ad nauseam*, before and after that opinion, that where "*subject matter jurisdiction*" is involved, the issue cannot be ignored or waived, by the parties or the Court, but must be addressed and determined!

B. In addition to the Amendment XI/Hans prohibition, the expenditure of New York State monies for the "*personal capacity*" defense of New York State judges, officials and/or employees also violates Article XIII §7 of the *New York State Constitution*, with arguable the same draconian consequences.

3. Speaking for the Court in *Burnham v. Superior Court of California*, 495 U.S. 604, 608-609 [1990], Associate Justice *Atonin Scalia* stated:

> "The proposition that the judgment of a court lacking jurisdiction is void traces back to the English Year Books ... and was made settled law by Lord Coke .... . Traditionally that proposition was embodied in the phrase *coram non judice*, `before a person not a judge'-meaning, in effect, that the proceeding in question was not a judicial proceeding because lawful judicial authority was not present, and could therefore not yield a judgment. American courts invalidated, or denied recognition to judgments that violated the common-law principle long before the Fourteenth Amendment was adopted."

In *Disher v. Information Resources*, 873 F.2d 136, 139 [7th Cir.-1989]), Judge *Richard A. Posner*, speaking for the Court, stated:

> "Jurisdiction over a case is the power to render a binding judgement in it; if there is no jurisdiction, there is no power".

Since a judgment, order or decision infected with a "*subject matter jurisdictional*" infirmity, like counterfeit currency, can *never* become valid, it is ultimate example of "*frivolous*" & "*meritless*" litigation.

4. Thus, the representation by Assistant NYSAG *Lawrence L. Doolittle*, at New York State cost & expense, in a June 3, 1988 cross-motion, or less than two (2) weeks after *Geo. Sassower v. Mahoney* (*supra*) was commenced, for the money damage tort NY State defendants, was a crystal clear statement that U.S. District Court Judge *Con G. Cholakis* had been "*fixed*" and would not address the "*jurisdictional*" issue, although mandatory.

Nevertheless, a judge and court does not obtain "jurisdiction", by refusing of failing to adjudicate its absence (*Crawford v. United States*, 796 F.2d 924, 928 [7th-1986]).

5. The Bottom Line: The compelling conclusion is that NYSAG *Robert Abrams*, Assistant NYSAG *Lawrence L. Doolittle*, Assistant NYSAG *Alan S. Kaufman*, and *all* the money damage tort defendants they purported to represent, all law school graduates *knew*, on June 3, 1988, that the merit dispositions made in *Geo. Sassower v Mahoney* (*supra*) were "*null & void*" because of, *inter alia*, the lack of "*subject matter jurisdiction*"!

Robert Abrams, Esq. & *Alan S. Kaufman*, Esq., engaged in litigation, at the *unconstitutional* cost & expense of their client, the State of New York, whose results were "null & void" warrants the sanction of "disbarment"!

Count II

["*The Degenerates*"

1. The New York State Attorney General ["NYSAG"], on behalf of the State of New York, is: (1) the Attorney for State of New York; (2) the *parens patriae* for all children, such as the three motherless infants, the children of the predeceased youngest daughter of the testator in the *Estate of Eugene Paul Kelly, deceased,* and (3) the statutory fiduciary for all involuntarily dissolved corporations, such as *Puccini Clothes, Ltd.*

In *Geo. Sassower v. Mahoney* (*supra*), at *all* times, under *every* circumstance, without any exception, NYSAG *Robert Abrams*, Assistant NYSAG *Lawrence L. Doolittle* and Assistant NYSAG *Alan S. Kaufman* comported themselves to serve the interests of the "***The Citibank Bribes for Total Immunity Enterprise***" ["***The Enterprise***"], although invariably adverse to the legitimate interests of the State of New York.

No American attorney has the "*legal power*" to betray the legitimate interests of his client or trust and no American jurist, as a *sua sponte* obligation, can tolerate such situation to exist (*Wood v. Georgia*, 450 U.S. 261, 265 fn. 5 [1981]).

Independently of other lethal infirmities, such betrayal of client & trust renders the proceeding to be "null & void" (*U.S. v, Throckmorton*, 98 U.S. 61 [1878]).

2. Attorneys who betray their clients or trusts, or those who aid or abet such misconduct, are legal, moral & ethical degenerates, commit the ultimate legal abomination and should be disbarred!

Count III
["*A Den of Thieves*"]

1. Since in *Geo. Sassower v. Mahoney* (*supra*) six (6) New York State jurists were defended by the NYSAG at *unconstitutional* New York State cost & expense, while three (3) Article III federal judges were being defended by U.S. Attorney *Frederick J. Scullin*, at *unauthorized* federal cost & expense.

2. While U.S. Attorney *Frederick J. Scullin* was "*cooking*" federal books to conceal the *unauthorized* federal expenditures, NYSAG *Robert Abrams* was "*cooking*" his NY State books to conceal the *unconstitutional* New York State expenditures, as a Response to a Freedom of Information Law confirms (FOIL #03-540).

3. The New York State Office of Court Administration as well as the Administrative Office of the United State Courts can be truly described as a "***Den of Thieves***"!

Count IV
["***Mission Impossible***"]

1. From the Complaint, served on the (6) New York State judges, defended by *Robert Abrams*, the NYSAG, *all* money damage tort defendants, *all* law school graduates, *knew* from "***Day-One***" that their representation was unethical, in addition to being *unconstitutional*.

2. *All* the disposable assets in the *Estate of Eugene Paul Kelly, deceased* ["*Kelly Estate*"] (Surrogate's. Court, Suffolk County-Docket #1972P736) were *unlawfully* dissipated to satisfy the *personal* obligations of New York, Suffolk County, Surrogate *Ernest L. Signorelli*, and the *personal* desires of Public Administrator *Anthony Mastroianni*, leaving nothing for *any* beneficiary, including the prime beneficiaries, the three (3) motherless infants, the children of the predeceased daughter of the testator.

The NYSAG, on behalf of the State of New York, is the *parens patriae* of all infants, including the three (3) motherless infants the prime beneficiaries in the *Kelly Estate*, a matter in which New York State Appellate Division Presiding Justice *Milton Mollen* of the Second Judicial Department was inextricably involved.

The *undenied & uncontroverted* allegations in the Complaint included:

> " ERNEST L. SIGNORELLI [`Signorelli'], the Surrogate of Suffolk's County, and his appointee, Public Administrator ANTHONY MASTROIANNI [`Mastroianni'], can never render a true judicial accounting, in a proper judicial proceeding, with respect to the ESTATE OF EUGENE PAUL KELLY [`Kelly Estate'], nor justify their barbaric conduct, without dramatically exposing the manner that Signorelli pays some of his personal obligations, no matter how much aid they may improperly receive from Presiding Justice MILTON MOLLEN [`Mollen'] of the Appellate Division, Second Judicial Department, or His Honor's robed thrall!
>
> Plaintiff was and still is the trustee of various trusts of EUGENE PAUL KELLY, who assets were totally seized by Mastroianni, purportedly for the benefit of the Kelly Estate.
>
> Plaintiff was, and claims he still is, the executor of the Kelly Estate, but was unlawfully removed by Signorelli, by retroactive ukase, because, inter alia, plaintiff does not believe that such estates are intended to serve Signorelli's personal interests."

Nevertheless, *Milton Mollen* enlisted the assistance of the NYSAG to defend him in his "*personal capacity*", which invitation the NYSAG accepted since he, himself, was an active participant in "*The Enterprise*"!

within eighteen (18) months, the Attorney General, ROBERT ABRAMS, the highest law

3. *Puccini Clothes, Ltd. – "The Judicial Fortune Cookie"* –, was involuntarily dissolved on June 4, 1980, on application of *Citibank, N.A.* and *Jerome H. Barr*, Esq. when, in this one instance, its very lucrative, but highly illegal and unethical, "estate chasing racket" went awry.

Immediately, the same day, upon Puccini being dissolved, *Citibank & Barr* and their attorneys, *Kreindler & Relkin, P.C.* ["K&R"] began to engineer the larceny of its judicial trust assets, which served as a "source" of "*bribes*".

Obviously, before *Citibank-K&R* began to engineer the larceny of Puccini's judicial trust assets they had "*bribed*" Senior Assistant New York State Attorney General *David S. Cook*, and knew they could "*fix*", *inter alia*, the NYSAG *Robert Abrams* and NY State Appellate Division, Presiding Justice *Francis T. Murphy* so that they would never have to account for Puccini's judicial trust assets, albeit mandatory, never compelled to provide "*restitution*", although constitutionally compelled, and the attorneys involved, would not be made the subject of professional disciplinary procedures, although disbarment was the inexorable result for the *impairment*" of trust assets, in the "*Murphy Realm*"!

Eventually, *all* the judicial trust assets of *Puccini Clothes, Ltd.* were made the subject of larceny engineered by *Citibank-K&R*, leaving *nothing* for its nationwide legitimate creditors, including my client, *Hyman Raffe*, and myself, who held contractually based, constitutionally protected obligations, of *Puccini Clothes, Ltd.*, including money judgments, which could not be "*impaired*" by any State or Federal judge, official or employee (Article 1 §10[1] and Amendment V of the *Constitution of the United States*)!

All six (6) NY State money damage tort defendants represented by the NYSAG in *Geo. Sassower v. Mahoney* (*supra*) including *Milton Mollen* were inextricably involved in the *Puccini* matter.

The *undenied & uncontroverted* allegations in *Geo. Sassower v. Mahoney* (*supra*) include:

> "KREINDLER & RELKIN, P.C. [`K&R'], FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. [`FKM&F'], and LEE FELTMAN, Esq. [`Feltman'] -- `the merchants of corruption' -- who have engaged themselves in the massive larceny and plundering of the judicial trust assets of PUCCINI CLOTHES, LTD. [`Puccini'], which was involuntarily dissolved on June 4, 1980 -- eight (8) years ago -- will never be able to render a true accounting for Puccini's assets, as mandated by law, without dramatically exposing their charted course of criminal racketeering, which in addition to larceny and plundering, includes perjury, corruption, extortion, and other crimes, no matter how many judges and officials they compromise and corrupt!"

Count VI

[***"Nailing the Jellyfish to the Wall"***]

1. Two (2) days after executing the complaint in *Geo. Sassower v. Mahoney* (*supra*), with service on, *inter alia*, *every* New York State money damage tort defendant, the Notice of Motion of May 25, 1988 requests an Order:

> "(1) disqualifying respondent, ROBERT ABRAMS, Esq., or any member of his office, from representing anyone but ROBERT ABRAMS, Esq., in this proceeding"

2. The *undenied & uncontroverted* allegations in the Moving Affirmation, in relevant part, reads:

> " "DISQUALIFICATION OF ROBERT ABRAMS, Esq.:
>
> 6a. Each and every charge against affirmant by the Appellate Division, Second Department, resulting in his disbarment (*Grievance Committee v. G. Sassower*, 125 A.D.2d 52, 512 N.Y.S.2d 203 [2d Dept.]) directly relates to PUCCINI CLOTHES, LTD. ['Puccini'] -- `the judicial fortune cookie' -- which was involuntarily dissolved on June 4, 1980 ... , its assets and affairs becoming *custodia legis* under color of law, within the meaning of 42 *U.S.C.* §1983.

b. Albeit its helpless condition, Puccini nevertheless is a `person' within the meaning of the XIV Amendment of the Constitution of the United States.

c. ROBERT ABRAMS, Esq. [`Abrams'], the Attorney General of the State of New York [`NYSAG'], is the statutory fiduciary of Puccini, with many mandatory obligations and discretionary duties (e.g. *Bus. Corp. Law* §§1214[a], 1216[a]).

d. The obligation of the Receiver is to account and distribute within one (1) year (*Bus. Corp. Law* §1216[a]), and to account each and every year (22 *NYCRR* §202.52[e], §202.53).

e. If the Receiver does not account within eighteen (18) months, *Robert Abrams*, as a ministerial obligation, must petition the court and demand such accounting.

f. More than five (5) times the maximum of eighteen (18) months have elapsed, but *Robert Abrams* has failed and refuses to perform his mandatory statutory obligation, although he is aware of the massive larceny of Puccini's judicial trust assets, in which petitioner has, inter alia, vested interests.

7a. Such massive larceny of judicial trust assets was engineered by KREINDLER & RELKIN, P.C. [`K&R'].

b. In exchange for not exposing such larceny of judicial trust assets, or making any attempt at the recovery of same, K&R and LEE FELTMAN, Esq. [`Feltman'], the Receiver agreed, *inter alia*, to turn over Puccini's remaining assets to Feltman's law firm, to wit., FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. [`FKM&F'].

c. Under such circumstances, Feltman cannot render an accounting of Puccini's judicial trust assets, without further exposing the larceny, the plundering, the perjury, the extortion, and the corruption, judicial and official.

d. Instead, K&R and FKM&F -- `the merchants of corruption' -- have corrupted judicial officials, state and federal, as well as *Robert Abrams* and his office.

8a. The documentary evidence reveals that Abrams, and members of his office, are actively aiding, abetting, and facilitating, such criminal adventure.

b. Consequently, *Robert Abrams* has the right to represent himself, have members of his office represent him, but not to represent others, as an attorney.

Presiding Justice FRANCIS T. MURPHY [`Murphy'], Presiding Justice MILTON MOLLEN [`Mollen'], Administrative Judge, XAVIER C. RICCOBONO [`Riccobono'], Mr. Justice ALVIN F. KLEIN [`Klein'], Judge DAVID B. SAXE [`Saxe'], and Mr. Justice IRA GAMMERMAN [`Gammerman'], will simply have to obtain other counsel, and whether the state reimburses such expenditures, is not an issue in this matter."

3. Despite the aforementioned, these New York State money damage tort defendants having been also been assured that the U.S. District Court Jurist assigned to *Geo. Sassower v. Mahoney* (*supra*) could be "*fixed*", had the NYSAG represent them."

Count VII

["***Equal Protection***"]

1. On June 24, 1988, less than two (2) months after *Geo. Sassower v. Mahoney* (*supra*) was commenced, I published and extensively distributed:

"WOULD YOU HAVE RICHARD III BABYSIT FOR YOUR NEPHEWS?

or

WOULD YOU BUY A USED HORSE FROM ROBERT ABRAMS?

To help insure the honesty of judges and their appointees, the state has mandated that unless a receiver for an involuntarily dissolved corporation accounts within eighteen (18) months, the Attorney General, ROBERT ABRAMS, the highest law

officer in New York, must make an application to the court for such accounting (Bus. Corp. Law §1216[a]).

ROBERT ABRAMS, the statutory guardian for the assets and affairs of involuntarily dissolved corporations, is given no discretion on such matters.

PUCCINI CLOTHES, LTD. -- `the judicial fortune cookie' -- was dissolved more than eight (8) years ago -- many times the maximum of eighteen (18) months -- and not a single accounting has been filed by its court appointed receiver, LEE FELTMAN, Esq., of the firm of FELTMAN, KARESH, MAJOR & FARBMAN, Esqs., or anyone else.

The FELTMAN firm, along with the firm of KREINDLER & RELKIN, P.C. -- `the merchants of corruption' -- have by blatant larceny and plundering dissipated all of Puccini's assets, and any true accounting will expose the criminal conduct of high level members of the judiciary, state and federal, as well as of ROBERT ABRAMS himself.

Consequently, in order not to expose his own criminal conduct, and similar misconduct of his `fat cat' supporters, ROBERT ABRAMS refuses to follow the mandate of the law and make his mandated application for such accounting.

Neither ROBERT ABRAMS nor anyone else is above the law, and if ROBERT ABRAMS refuses to give the law obedience because it will expose the criminal activities of those he personally desires to protect, he should be impeached, indicted, and incarcerated.

The designation of ROBERT ABRAMS, the Attorney General, as a guardian for judicial trust assets is tantamount to having Richard III serve as the guardian of your nephews, as any accounting for Puccini's judicial trust assets will immediately reveal.

June 24, 1988

GEORGE SASSOWER"

2. Nevertheless, those fiduciaries, such as Assistant NYSAG ***Alan S. Kaufman***, in Charge of the Litigation Bureau, continued to *betray*, his judicial trust in favor of corrupt members of the New York judiciary.

Failure to disbar ***Alan S. Kaufman***, Esq., prevents the Committee on Professional Standards or Grievance Committee from instituting disciplinary against any attorney charged with lesser misconduct (*Middlesex County Bar v. Garden State Bar*, 457 U.S. 423 [1982]; *Association of the Bar of the City New York v. Isserman*, 271 F.2d 784 [2nd Cir.-1959]),

Respectfully,

GEORGE SASSOWER

cc: Robert Abrams, Esq.
Alan S. Kaufman, Esq.

. . . . The Worst Is Still To Come!