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April 6, 2012

Re: Gary L. Casella, Esq.

Dear Mr. Guido,

1. In making this presentation, I am unaware what relevant documents & information you have, and assert that I am entitled to such information so that I may also address that material.

2. My prime, but not the only, complaint against Chief Counsel *Gary L. Casella* and those on whose behalf he was acting, is that they have used their offices to harass & prosecute my former wife, *Doris L. Sassower*, Esq., in order to control and/or influence my, *not* her, activities.

For example: On July 8, 1991, by a Show Cause, I moved the U.S. Third Circuit Court of Appeals, in *Geo. Sassower v. Abrams/Feltman* (CCA3 #90-5147):

> "let the GRIEVANCE COMMITTEE FOR THE NINTH JUDICIAL DISTRICT and/or its attorneys show cause before this Court, held at the Courthouse .... why a Temporary Restraining Order and/or a Preliminary Injunction should not be issued restraining it from prosecuting and otherwise harassing DORIS L. SASSOWER, Esq. by reason of appellant's [my] legal activities in, and exposures made to, this Court, with draconian sanctions ..." [emphasis in the original].

Nothing in the moving affirmation was denied or controverted by Chief Counsel *Gary L. Cassela* or anyone else.

The opening paragraph of the *undenied & uncontroverted* moving affirmation was

> " 1. This affirmation will prove beyond a peradventure of doubt that DORIS L. SASSOWER, Esq. ["DLS-The Hostage"] is, once again, being made the object of unconstitutional invidious selectivity by THE GRIEVANCE COMMITTEE FOR THE NINTH JUDICIAL DISTRICT ["GC"] (see, Chapter IV, *infra*).

I am absolutely confident that you, Mr. Guido, after affording Mr. Cassela with the opportunity to respond, that you will conclude that the disciplinary charges made against her, were absurd, and had an ulterior motivation .

Even if any of these charges against *Doris L. Sassower*, Esq. had merit, and they did not, and even if she had some control over my activities, and she does not, it was and is reprehensible, legally & otherwise, for Chief Counsel *Gary L. Cassela* & others to use her for leverage purposes!

Chapter "I"

Part "1": "**The Immutable Facts**"

1. *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.

A. An example of the *personal* financial obligations of Surrogate *Ernest L. Signorelli* that Public Administrator *Anthony Mastroianni* satisfied from the assets of the "*Kelly Estate*", was: the *personal* obligation of *Ernest L. Signorelli* to his *personal* matrimonial attorney, *Irwin Klein*, Esq., caused by the divorce proceeding instituted by his wife after she discovered that he was having an extramarital affair with his secretary in his judicial chambers (*New York Post*, June 2, 1981).

B. An example of the *personal* desires of Public Administrator, thereafter Chairman of the Republican Party of Suffolk County, that *Anthony Mastroianni* satisfied from *Kelly Estate* assets was: instead of mailing a citation to the Sheriff for service, at a statutory cost of less than $25, he gave it to one of his "cronies", *Charles W. Brown*, who billed the Kelly Estate $1,495.

2. *After Signorelli-Mastroianni* dissipated *all* the disposable assets in the Kelly Estate, leaving *nothing* for *any* beneficiary, the *U.S. Internal Revenue Service* imposed a substantial assessment against *Anthony Mastroianni* "*personally*", for his *personal* failure to make timely payment of the taxes due from the *Kelly Estate,* when the monies in the *Kelly Estate* were available.

Anthony Mastroianni to satisfy such *personal* obligation to the *U.S. Internal Revenue Service* and other *personal* obligations, *ex parte & sua sponte*, seized the assets in the ***Gene Kelly Moving & Storage, Trusts***, ["***Kelly Trusts***"] where the prime beneficiaries were the same three (3) motherless infants.

Thus, the three (3) motherless infants, received *nothing* from either the *Kelly Estate* or the *Kelly Trusts*!

3. Today, thirty-five (35) years after *Anthony Mastroianni* was appointed "*The Temporary Administrator*" of the *Estate of Eugene Paul Kelly, deceased*: (1) there are *none* of mandatory settled accountings; (2) there is *no* valid judgement or final order terminating this judicial trust proceeding; (3) *no* order discharging *Anthony Mastroianni* or his surety, *Fidelity & Deposit Company of Maryland* ["F&D"] and (4) *none* of the mandatory *NY Judiciary Law* §35-a Statements.

4. The *"Kelly Estate"* was only an extreme example of the usual, common & ordinary during the "*Reign of Ernest L. Signorelli*" as Surrogate of Suffolk County, New York!

Part "2":

1 In the most expensive disciplinary proceeding ever prosecuted by the Ninth Judicial District, *George Sassower*, Esq. & *Doris L. Sassower*, Esq. were resoundingly vindicated, thirty-four (34) counts to zero (0), with leave to *Doris L. Sassower*, Esq. to seek sanctions for this meritless prosecution. These were results that have *never* before or since occurred in a disciplinary proceeding, in the judicial history of the United States!

The Reports of NY Supreme Court Justice *Aloyisus J. Melia* were confirmed by the Appellate Division, First Department, the proceedings having been transferred from the Second Department, because NY Appellate Division, Presiding Justice ***Milton Mollen*** was inextricably involved in the criminal racketeering activities of Surrogate *Ernest L. Signorelli.*

2. During the disciplinary proceedings against *George Sassower*, Esq., the following letter of March 3, 1978 surfaced from the files of the Grievance Committee:

> "Dear Surrogate Signorelli:
>
> I am in receipt of a copy of your decision in the above stated matter, dated February 24, 1978, which decision alleges professional misconduct on the part of George Sassower and Doris L. Sassower, attorneys-at-law.
>
> My office has contacted the Joint Bar Association Grievance Committee for the Ninth Judicial District and determined that the Committee is aware of the situation you described. Please be assured that appropriate action will be taken.
>
> Thank you for bringing this matter to my attention.
>
> Very truly yours,
> MILTON MOLLEN
> Presiding Justice
>
> (Stamp) GRIEVANCE COMMITTEE, NINTH JUDICIAL DISTRICT, MAR 6, 1978"

3. *Before* this letter by Presiding Justice *Milton Mollen*, the *Bar Association* refused to proceed against *George Sassower*, Esq. based on the complaints of ***Vincent G. Berger*, Esq.**, on behalf of Surrogate *Ernest L. Signorelli.*

After this letter by Presiding Justice *Milton Mollen*, Chief Counsel ***Donald Humphrey*** & Chief Counsel ***Gary L. Casella*** of the Ninth Judicial District of the Second Judicial Department pursued *George Sassower*, Esq. and *Doris L. Sassower*, Esq., like Captain Ahab pursued the white whale!

There has *never* been any dispute that these expensive disciplinary proceedings were "exclusively" motivated by the aforesaid manifestly improper letter by Presiding Appellate Division Justice *Milton Mollen*!

4. The 1982 confirmed findings of Mr. Justice *Aloyisus J. Melia*, should have ended the involvement of *Gary L. Cassela,* Esq. in the *Kelly* matter & the *Kelly* matter, but it did not, since now *Signorelli-Mastroianni* had to account, provide *restitution & reimbursement* to the victims, who included *The State of New York & County of Suffolk.*

5. Any attempt by *Anthony Mastroianni* to settle his account, a mandatory pre-condition for a judgement or final order terminating this judicial trust proceedings and an order discharging him & his surety, would compel "*restitution*" to the *Kelly Estate/Trusts* and their other victims.

6. Since the Attorney General of the State of New York is the *parens patriae* of all infants & those disabled, *each* of them, commencing with ***Louis Lefkowitz*** has had to be "***fixed***"!

Every Chief Administrator of the Office of Court Administration, from ***Joseph Bellacosa*** to ***A. Gail Prudenti*** also had to be "*fixed*" so that no *NY Judiciary Law* §35-a Statements would be filed.

In short: The matter was & is ***non-fixable*** and therefore *Geo Sassower*, Esq. still had to be pursued, directly & indirectly, and be silenced!

Chapter II
"The Signorelli-Prudenti Gang"

Part "1":

1. From January 1, 1986, the day that *Ernest L. Signorelli* became Surrogate, until February 24. 1978 – twenty- six (26) months later – when, without notice or due process to anyone, Surrogate *Ernest L. Signorelli* issued his "diatribe", *Doris L. Sassower*, Esq., *never* appeared on *any* complaining document in the *Kelly* matter.

2. On my motion, in the Federal Court, for an injunction against *Ernest L. Signorelli* and his entourage, and with opposing papers due by February 20, 1978 (*Geo. Sassower v. Signorelli* [SDNY-#78 Civ 124 JM]), four (4) days later, on February 24, 1978, with *nothing* pending in the State courts, *Ernest L. Signorelli*, as a Surrogate, *sua sponte*, issued a five (5) page "diatribe" against me, wherein he "*recused*" himself and which concluded as follows:

> "I am accordingly directing the Chief Clerk to forward a copy of this decision to the Presiding Justice of the Appellate Division, Second Judicial Department, for such disciplinary action as he may deem appropriate with regard to the conduct of George Sassower and Doris L. Sassower."

There was *nothing* in that "diatribe" *or* elsewhere, which charged *Doris L. Sassower*, Esq., with any ethical or legal misconduct, as subsequently confirmed by the "dismissal" of *all* disciplinary charges against her, with leave to seek sanctions!

Part "2":

1. The Grievance Committee had previously *rejected* the complaint lodged against *Geo, Sassower* by *Vincent G. Berger*, Esq. on behalf of Surrogate *Ernest L. Signorelli.*

2. Essentially confessed by *Ernest L. Signorelli* at the hearings before Judge *Aloyisus J. Melia* was that he, Chief Clerk *Robert Cimino* and *Vincent G. Berger* knew beforehand that if a disciplinary complaint was filed with Presiding Justice *Milton Mollen*, albeit manifestly improper, he would transmit it to the Grievance Committee and accepted by it as a complaint by him, as Presiding Justice.

They also effectively confessed, that they also knew beforehand that if they published this disciplinary complaints in "hard print", although in violation of the confidentiality provision of *NY Judiciary Law* §90, that there would be no adverse consequences to them.

Since Chief Counsel of the Grievance Committee, is an at-will employee of the Presiding Justice, a complaint from the Presiding Justice, even when patently meritless, is tantamount to a command to prosecute.

Where, as here, Presiding Justice *Milton Mollen* forwarded this disciplinary complaint to the Grievance Committee along with a copy of his letter to Surrogate *Ernest L. Signorelli* which stated "Please be assured that appropriate action will be taken. Thank you for bringing this matter to my attention", the actions taken by Chief Counsel *Donald Humphrey* & Chief Counsel *Gary L. Casella* were understandable & predictable.

Had not Presiding Justice *Milton Mollen* not been "***fixed***" he would have told him that he, in the fist instance, was not the depository for disciplinary complaints about lawyers!

In any event, with the surfacing of the letter of March 3, 1978 from Presiding Justice *Milton Mollen* to Surrogate *Ernest L. Signorelli*, I never faulted *Humphrey-Casella* for prosecuting these thirty-four (34) counts against *George Sassower*, Esq. and *Doris L. Sassower*, Esq.

3. Four (4) months after the "diatribe", by reason of the events of June 10, 1978, I, and about everyone else in the Supreme Court, Westchester County *knew* who had "***fixed***" Presiding Justice *Milton Mollen*, which was further confirmed when Surrogate *Ernest L. Signorelli* hired *A. Gail Prudenti*, the daughter of *Anthony Prudenti*, who was not a lawyer as a "Law Assistant" in his court!

Part "3":

1. Although the Republican Party supported his adversary, *Ernest L. Signorelli* was elected to be Surrogate of Suffolk County for a term that began January 1, 1976.

Shortly after Surrogate *Ernest L. Signorelli* assumed office, he announced his candidacy for a seat in Congress.

Not expecting Republican Party support, particularly since he was not providing it with patronage appointments, Surrogate *Ernest L. Signorelli* began to "shake-down" lawyers in his court to underwrite his run for Congress.

2. When I rejected the suggestion of Surrogate *Ernest L. Signorelli* that I retain local counsel of *his* choosing for the *Kelly Estate*, assuring me that I would receive the same fee, his anger was openly displayed, both in words & action.

Thereafter, the U.S. District Court & Circuit Court of Appeals rejected the proceeding brought by Surrogate *Ernest L. Signorelli* to enjoin the *Office of Court Administration* from preventing him from running for Congress while occupying the position of Surrogate (*Signorelli v. Evans, as Chief Administrative Judge*, 637 F.2d 853 [2nd Cir.-1980]).

Since he no longer needed his campaign manager, ***Vincent G. Berger***, Esq., he had *Anthony Mastroianni* "dump" him as his attorney for the *Kelly Estate* and retain ***Irwin Klein***, Esq., his *personal* matrimonial attorney in his place in order to satisfy his financial obligations to him!

When *Ernest L. Signorelli* had no further use of *Irwin Klein*, Esq., he had *Anthony Mastroianni*, "dump" him, in favor of ***Richard C. Cahn***, Esq., to satisfy "*personal*" obligations in the proceeding against the Office of Court Administration!

Obviously there are no *NY Judiciary Law* §35-a filings!!!

Part "4":

1. For one (1) year, I endured the wrath of Surrogate *Ernest L. Signorelli* because I repeatedly refused to have *Kelly Estate* assets dissipated for his *personal* obligations, as he openly desired.

2. Consequently, in order to gain control of the assets in the *Kelly Estate*, in March of 1977 Surrogate *Ernest L. Signorelli sua sponte*, announced that I had been removed, one year *earlier*, as the executor of that estate.

Also, in order to gain control of the assets in the *Kelly Estate,* Surrogate *Ernest L. Signorelli*, without notice or due process, *ignored* that *Doris L. Sassower*, Esq., was the alternate executrix, and appointed Public Administrator *Anthony Mastroianni*, as the Temporary Administrator of the *Kelly Estate*.

3. The February 4, 1982 Report of NY Supreme Court Justice *Aloysius J. Melia*, confirmed by the Appellate Division stated (p. 60-61):

> "The Public Administrator was not named to replace the respondent (*Geo. Sassower*, Esq.) until 1 year later, on March 25, 1977. (Ex. 24).
>
> In the intervening year, court transcripts of proceedings before the Surrogate, amply demonstrate that participants in the proceedings considered the respondent to still be the executor.
>
> [Charles Z.] Abuza, [Esq.] so testified here. Though he was the one who brought the motion to have the respondent removed ....
>
> [Ernest] Wruck, [Esq.] a special guardian and others, so referred to the respondent on several occasions in the record of proceedings before the Surrogate.
>
> Indeed, in this period, on October 21, 1976, on the record, the Surrogate ordered the respondent to sell the house. He could only do so as executor. (Ex. BP)
>
> The respondent prepared and entered into a contract to sell on December 2, 1976. The surrogate then aborted the deal.
>
> More than a year later, after paying additional taxes, the Public Administrator sold the house to the same party for the same price.
>
> On July 6, 1976, papers were prepared by the respondent in the court room, by court personnel and signed by the Surrogate.
>
> These papers purportedly still recognized the respondent as executor. (Ex. CD) (Ex. AR)
>
> On March 25, 1977 the Public Administrator was appointed temporary administrator. (Ex. 24)
>
> (The respondent has always maintained that he was improperly and illegally removed as executor. He has never received any fee.)"

4. Without exception, *everyone* who testified & *everyone* involved, including *Ernest L. Signorelli* recognized me as the sole & exclusive executor during this 1976-1977 period!

5. Indeed, when *Ernest L. Signorelli*, in order to gain control of the assets in the *Estate of Eugene Paul Kelly*, contrived the assertion that I had been removed as Executor, in March of 1976, I went to the Clerk's Office, requested, paid for and received Certified copies of Letters Testamentary (Exhibit "A") which showed that I was still the Executor, which I introduced in evidence before Judge *Aloyisus J. Melia*!

Part "5":

1. The Statement of the Grievance Committee on the main charge against me was [with emphasis supplied]:

> "CHARGE FOUR
>
> CHARGE FOUR alleges that respondent has failed to turn over all the Kelly Estate documents to the Suffolk County Public Administrator. The Grievance Committee moves to confirm Judge Melia's recommendation of dismissal.
>
> Respondent testified on several occasions that he gave all of the important document to Vincent G. Berger, Jr., attorney for the Suffolk County Public Administrator on June 15, 1977. Respondent further claimed that a box containing duplicate documents was turned over to Anthony Mastroianni (Suffolk County Public Administrator), in June of 1981. Anthony Mastroianni testified on November 4, 1981 that the material he received in June appeared to duplicate what he already had. (p. 53)

Neither Berger nor Mastroianni had a clear picture of what documents respondent neglected to turn over. *Fatal to this charge is Mastroianni's testimony of November 4, 1981 (p. 74) that he does not know if there are any missing documents*.

The Grievance Committee moves to confirm the dismissal of CHARGE FOUR."

2. Although, as noted on the record by Judge *Aloyisus J. Melia*, *Vincent G. Berger*, Esq., when he refused to voluntarily appear and was evading the service of a subpoena, there was received in evidence his letter to me of June 17, 1977, with copies to the Surrogate's Court & the Public Administrator, which in relevant part read:

"I have reviewed the papers which you left in the office of the Public Administrator during our conference of June 15, 1977. Copies of same will be delivered to you on June 22, 1977 because it will easier and less expensive than mailing then to you.

The papers which I have reviewed are helpful but leave much to be desired, I still do not have copies of ledgers, deeds, bank statements, cancelled checks, bank accounts, inventory of safe deposit box, tax receipts, and other papers necessary for me to undertake the work required of the Public Administrator in order to commence his duties as temporary Administrator."

On all disputed claims, including that of *Albert Baranowsky,* Kelly's accountant, unless approved by a majority of the beneficiaries, or approved by the court, I would not voluntarily pay their claims.

Without the payment of his claim, which no beneficiary approved, *Albert Baranowsky* claimed a lien on the Kelly books & records and refused to turn them over to me, as *everyone* knew!

To this day, I never had or saw the *Kelly* books & records which *Albert Baranowsky* had in his possession.

3. In 1986, more than four (4) years *after* the hearings before NY Supreme Court Justice *Aloyisus J. Melia* had terminated, I surfaced a letter written by *Vincent G. Berger* to *Grace DuBois*, the sister of *Eugene Paul Kelly*, dated March 9, 1978, reading in relevant part (Exhibit "B"):

"We have already contacted Mr. [Albert] Baranowsky [Kelly's accountant] in 1977 who turned over to us all records in his possession."

When I attempted to telephone *Albert Baranowsky* to learn of the date of transmission to *Vincent G. Berger*, Esq. and other relevant information, he had died!

Part "6":

1. In counties, such as Suffolk & Westchester, by reason of *Surrogate's Court Procedure Act* §1207 when an estate has significant assets & the Public Administrator, a salaried employee, is appointed his intention is to defraud the county, as well as the estate.

This intention was immediately confirmed when, *Anthony Mastroianni* designated *Vincent G. Berger*, Esq., who was the campaign manager for *Ernest L. Signorelli* when he ran for Surrogate of Suffolk County in 1975 and was his intended campaign manager in his intended run for a seat in Congress, to be his attorney in the *Kelly Estate*.

It is the County Attorney who performs all legal work for the Public Administrator in Westchester & Suffolk Counties, free of charge, and the Public Administrator in those counties, turns over all fees awarded to the County.

There was no reason for the appointment of *Vincent G. Berger*, Esq., *Irwin Klein*, Esq. or *Richard C. Cahn*, Esq. except to satisfy *personal* obligations of *Ernest L. Signorelli*!!!

2. Thereafter when, because of his misconduct, the Court denied all fees to *Anthony Mastroianni*, the Court of Appeals dismissed his appeal because of the lack of "standing" since it was the County of Suffolk who was "aggrieved" not *Anthony Mastroianni* (*Estate of Eugene Paul Kelly* [*Mastroianni*], 78 NY2d 904, 573 NYS2d 460 [1991]).

Part "7":

1. Surrogate *Ernest L. Signorelli* and *Vincent G. Berger*, Esq. almost immediately recognized they were confronted with a disastrous situation by declaring "void" my 1976-1977 actions on behalf of the *Kelly Estate.*

For example: For approving and then cancelling the contract of sale for the *Kelly* residence, *Signorelli-Berger* were confronted with a vacant, and thus, uninsurable, residence, which they also could not sell.

2. As reported by Supreme Court Justice *Aloyisus J. Melia* "more than a year later, after paying additional taxes, the Administrator *Anthony Mastroianni* sold the house to the *same* party for the *same* price." [emphasis supplied].

Part "8":

1. When the Appellate Division denied a "stay" of my removal as Executor of the *Estate of Eugene Paul Kelly, deceased*, and the refusal to recognize the designation of *Doris L. Sassower*, Esq., as the alternate Executrix, as admitted by *Anthony Mastroianni*, found by Justice *Aloyisus J. Melia* & conceded by the *Grievance Committee*, except for some duplicates, on June 15, 1977, I turned over to *Mastroianni-Burger all* the *Kelly* books & papers in my possession.

2. Nevertheless, *Vincent G. Berger*, Esq. continued his assertions that I was refusing to "turn over" the "Kelly books & records.

As the campaign manager of *Ernest L. Signorelli*, the motive of *Vincent G. Berger*, Esq., were manifestly obvious, *to wit*, (a) conceal the *Kelly* fiasco by *Ernest L. Signorelli* and (b) generate publicity for *Ernest L. Signorelli*, the Congressional candidate.

3. To these ends *Vincent G. Berger*, Esq. propagated the canard that I was refusing to turn over the *Kelly* books & records to *Anthony Mastroianni*, as Surrogate *Ernest L. Signorelli* had directed.

4 *Vincent G. Berger*, Esq. even lodged these spurious complaints with the District Attorneys of Suffolk & Westchester Counties, but they refused to take any action.

He also made spurious complains with the Bar Association in Westchester County, and it also took no action.

Part "9":

1. On June 22, 1977, one week *after* I turned over to *Mastroianni-Berger* the *Kelly* papers, Surrogate *Ernest L. Signorelli* falsely asserted in a Contempt Order, that a contempt had taken place in his "*immediate presence*" when, in fact, I was almost one hundred (100) miles away at the time.

The Warrant he issued, pursuant to this Contempt Order, also *falsely* asserted I was "adjudged guilty of contempt in the immediate view and presence of the Court" and he directed the Sheriff to take me into custody "*to answer for contempt of the Court whereof he stands charged*".

Thus, in the same document, I was found "*guilty*" & only "*charged*" of criminal contempt!

"On its face", the Warrant was absurd & void!

2. Had this been a facially valid warrant, it would have been mailed to the Sheriff of Westchester County for execution, but it was not and therefore not forwarded to him!

Instead, Sheriff *Ernest L. Signorelli* "directed" two (2) Deputy Sheriffs of Suffolk County, early the following morning, to travel to New Rochelle, Westchester County, which was beyond their "jurisdictional bailiwick", take me into their custody, and take me, not to jail, but to him, Surrogate *Ernest L. Signorelli*, so I could "*answer for contempt of the Court whereof he stands charged*"!

3. In the Surrogate Court Courthouse, I was kept in close custody for about two (2) hours, not allowed "to go down the hallway" to present my Writ of Habeas Corpus to a proper jurist, as I repeatedly requested.

4. Finally, Surrogate *Ernest L. Signorelli* having "packed" the Courtroom with spectators, including members of the media, had me brought in the Courtroom, in this obvious "publicity scenario".

In response to all questions by Inquisitor *Ernest L. Signorelli*, I did not respond, except to state that I wanted to present my Writ of Habeas Corpus to an appropriate jurist or "go to jail"!

5. Finally, in front of this "packed" courtroom, unable to cause me to submit, *Ernest L. Signorelli* had me incarcerated at the County jail, where I was able to get my Writ signed and released, after posting bail!

6. Years later, the events of June 23, 1977 resulted in lethal blows to Surrogate *Ernest L. Signorelli* and to Presiding Justice *Milton Mollen*.

Part "10":

1. *Everyone*, without exception, was of the opinion that the Contempt Order of June 22, 1977 was "*void*"!

Even Surrogate *Ernest L. Signorelli & Vincent G. Berger*, Esq., did not assert otherwise!

2. However in order to obtain State of New York & County of Suffolk representation for himself & *Anthony Mastroianni*, *Ernest L. Signorelli* began to negotiate with high-echelon members of the Suffolk County Republican Party and began to make patronage appointments to them.

In 1978, upon graduating from law school, even before she was admitted to the Bar, Republican Party leader *Anthony Prudenti* had his daughter, *A. Gail Prudenti* hired as a Law Assistant in Surrogate's Court, where she was sometimes referred to as "*The Surrogate*", since it was assumed that she would become "*The Surrogate*", with its extensive patronage authority!

When *A. Gail Prudenti* did run for Surrogate, her campaign manager was *Vincent G. Berger*, Esq., who had been orchestrating matters for *Ernest L. Signorelli*.

3. Under the *Signorelli-Republican* alliance, Assistant NY State Attorney General *Leonard J. Pugatch*, was assigned to defend Surrogate *Ernest L. Signorelli* in his "*personal*" capacity, in the Writ of Habeas Corpus and related proceeding, although his actions on behalf of *Ernest L. Signorelli* were *always adverse* to legitimate State of New York interests!

Although *Ernest L. Signorelli* never denied this Contempt Order was "*void*", he insisted that he & his Order be defended by the NY State Attorney General.

4. My letter of July 9, 1977, in full, reads as follows:

"Hon. Louis J. Lefkowitz
Attorney General
State of New York
Capitol Building,
Albany, New York, 12224

Re: Sassower v. Signorelli

Honorable Sir:

Pending is the above matter which I believe warrants a high echelon policy determination by your office.

Your office has been given the burden of sustaining a summary criminal contempt of court adjudication and sentence.

I verily believe that your very able Assistant Attorney General, Leonard J. Pugatch, Esq. is of the opinion that the aforementioned adjudication and sentence is constitutionally invalid.

I verily believe that every one of your Assistant Attorney Generals familiar with the matter share that opinion.

I verily believe that you will not find one of your Assistant Attorney Generals or Law Interns who would come to a contrary conclusion.

I do not believe that even your statutory client- judge believes otherwise.

There just happen to be too many decisions by the United States Supreme Court directly on point of the numerous defects in this adjudication and sentence to validly argue otherwise.

Except for the ulterior motives of your statutory client-judge, your office would, I have little doubt, candidly state to the Supreme Court (where the habeas corpus and Article 78 proceeding is pending) that petitioner's writ and petition should be sustained.

Only because a judge-client is involved do I believe that your office is being less than candid with the Supreme Court.

So that I am eminently clear on the point let me state that if there was any question as to the legal invalidity of such criminal contempt, I would not question your right or duty to the expenditure of the extraordinary time, money, and effort to defeat my applications.

The number of needless trips made by your Assistant Attorney General to Riverhead from his home or his office in Manhattan at the request of your judge-client at taxpayers expense is an outrage. Other practices being followed by your office only at the request of your judge-client, contrary to the practices at bar and contrary to human decency, should not be condoned.

Your judge-client is entitled to the best representation that your office can legally and morally afford, and equal to the representation that you afford others, no more no less.

Because your client is a judge does not compel you to subvert your duty of complete candor.

I recognize and sympathize with the dilemma of your Assistant Attorney General and believe that he should be given your personal direction and guidance in this respect.

In being given this assignment, your Assistant Attorney General has been placed in a position of too easily intimidated by your arrogant judge client who is taking advantage of his position and your office.

GS/bh

cc: Leonard J. Pugatch, Esq.

Certified Mail"

5. Within minutes after being assigned the Writ proceeding, NY Supreme Court Judge *George F.X. McInerney* concluded that the Contempt Order & Warrant of June 22, 1977 were "*void*", but he, himself, made it clear that he had been given "*instructions*".

Consequently, after three (3) days of hearings, where there were no dispute as to the essential facts, to terminate these "*instructions*" given to Mr. Justice *George F.X. McInerney*, I made application to U.S. District Court Judge *Jacob Mishler* (*Geo. Sassower v. Signorelli*, 77 C 1447 [EDNY-JM]).

After listening to the oral presentation, His Honor stated that he was reluctant to interfere with a pending state proceeding, even with the obvious "bad faith" shown by these extended hearings.

Then Judge *Jacob Mishler* turned to Assistant NY State Attorney General *Leonard J. Pugatch* and stated: "If this Writ is not sustained, I want you to telephone me immediately"!

5. This was all Mr. Justice *George F.X. McInerney* needed to unburden himself of these "*instructions*", and he immediately sustained the Writ of Habeas Corpus!

Part "11":

1. On August 8, 1977, eleven (11) days after NY State Justice *George F.X. McInerney* sustained my Writ of Habeas Corpus, an Order to Show Cause was issued from Suffolk County which read:

"Upon the annexed affidavit of ANTHONY MASTROIANNI, Public Administrator of Suffolk County, sworn to on August 8, 1977, ...

NOW, on motion of VINCENT G. BERGER, JR., attorney for ANTHONY MASTROIANNI Public Administrator of Suffolk County it is

ORDERED, that GEORGE SASSOWER show cause before this court, at the Courthouse of the Surrogate's Court located at ... on the 16th day of August, 1977, 10:00 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard, why an order should not be granted pursuant to Section 750 of the Judiciary Law of the State of Now York, punishing him for criminal contempt of court for his failure and refusal to comply with the lawful court made and entered on April 28, 1977 ..."

In view of his testimony at the Disciplinary Proceedings that I turned over the *Kelly* material on June 15, 1977, the affidavit of *Anthony Mastroianni* was manifestly perjurious.

2. It was also obvious that *Vincent G. Berger*, Esq., did not know how to prepare a proper "*Criminal Contempt*" application! Consequently, the same day that I received the aforementioned Order to Show Cause:

"the undersigned [*Geo. Sassower*] will cross-move this Court at a Stated Term of the Surrogate's Court of the County of Suffolk, located at County Center, Riverhead, New York, on the 16th day of August, 1977 ... for an Order vacating the aforesaid Order to Show Cause as being not in compliance with §750 et seq. of the Judiciary Law, the Constitutions of the United States and State of New York, and decisions and rules respecting same, ... "

3. The aforementioned notwithstanding, again the my default was noted on this "jurisdictionally infirm" proceeding.

4. Again *Vincent G. Berger*, Esq. resorted to the media, and without requesting my comment, the following false & deceptive libelous publication appeared in *The News*:

"A ROCHELLE LAWYER FACES SECOND CONTEMPT CHARGE

By ART PENNY

New Rochelle lawyer George Sassower, in a battle with Suffolk Surrogate Ernest Signorelli for 18 months over his handling of the $100,000 estate of a Bay Shore man who died five ago, was accused of criminal contempt of court for the second time yesterday.

Sassower. 53, of 30 Mildred Parkway, won a reversal two weeks ago of his first contempt conviction. But yesterday he failed to appear in Surrogate's Court Riverhead as ordered by Suffolk County Judge Oscar Murov sitting in for the vacationing Signorelli.

Accounting Ordered

Sassower, executor of the Estate of Eugene Paul Kelly who died on April 26, 1972, was removed as executor on March 9, 1976, He was ordered to make a complete accounting of the estate and turn over all records to Anthony Mastroianni.

Mastroianni said he never received the accounting and testified yesterday that Sassower was writing checks on the Kelly Estate. He said checks for $236 to an Insurance company and $466 made to a bank.

Signorelli convicted Sassower of contempt on June 22 and ordered him jailed for 30 days . Two weeks ago Supreme Court Justice George F.X. McInerney reversed that conviction holding that Sassower had not been ordered to appear in court and thus had no opportunity to confront witnesses.

Reserves Decision

Vincent Berger, counsel to the Public Administrator, noted that Sassower was served August 10 with Murov's order directing him to appear yesterday, when he could have faught the contempt proceedings. Murov reserved decision. Meanwhile, the Suffolk County district attorney's office is investigating Sassower's

handling of the estate. including allegations that he tried to sell Kelly's Bay Shore house last December, although he had been removed as executor several months earlier.

The beneficiaries, a daughter and several grandchildren never received their bequests, court records reveal."

5. The Court thereafter agreed that the proceedings were "jurisdictionally infirm" ,vacated the proceedings which the media never reported.

Part "12":

1. At no time or place did *Ernest Signorelli* or any of his NY State attorneys ever assert or contend that the Contempt Order or Warrant of June 22, 1977 was valid.

2. Nevertheless, on February 3, 1978, at the insistence of *Ernest L. Signorelli*, Assistant NY State Attorney General *Leonard J. Pugatch* executed & caused to be filed a Notice of Appeal on behalf of "*Ernest L. Signorelli*" from the Order of Mr. Justice *George F.X. McInerney* which sustained my Writ of Habeas Corpus.

3. In all my years at the Bar, I had *never* seen a more meritless appeal, particularly since Mr. Justice *George F.X. McInerney* in sustaining the Writ of Habeas Corpus, specifically provided that it was "without prejudice to such further contempt proceedings as the Surrogate's Court of Suffolk County may be advised to bring".

Even Assistant NY State Attorney General *Leonard J. Pugatch* did not know why he was instructed to obey the requests of *Ernest L. Signorelli* and file a Notice of Appeal when it had no merit.

4. The *only* conclusion was that Surrogate *Ernest L. Signorelli* knew that Presiding Justice *Milton Mollen* had been or could be "***fixed***" and would somehow nullify the disposition of Mr. Justice *George F.X. McInerney*!

Part "13":

1. On February 8, 1978, five (5) days after this Notice of Appeal was executed, despite the "double jeopardy" and other prohibitions, while I was in the midst of a trial in Supreme Court, Bronx County, based on the *same* concocted & contrived charges, as in the two (2) prior contempt Orders, Acting Surrogate *Harry Seidel, in absentia*, without any live testimony, found me to have committed non-summary criminal contempt and imposed a sentence of thirty (30) days incarceration which reinforced the conclusion that Presiding Justice *Milton Mollen* had been "***fixed***"!

Unknown to me at the time, but learned years afterward, *Vincent G. Berger*, Esq. had in his possession these *Kelly* books & records that were held by *Albert Baranowsky*, the accountant for *Kelly* (see, Exhibit "B"), in addition to *all* the books, papers & documents that I gave him & *Anthony Mastroianni* on June 15, 1977.

2. After hearing opposing counsel, U.S. District Court Judge *Jacob Mishler* signed an Order to Show Cause returnable March 3, 1978 why an Order should not be entered (*Geo. Sassower v. Signorelli*, 78 Civ. 124 [EDNY-JM]):

" a. restraining defendants, ANTHONY MASTROIANNI and VINCENT G. BERGER, JR. from harassing plaintiff and those with whom plaintiff has business, professional, and social engagements pending the termination of this action.

b. restraining defendants, ERNEST L. SIGNORELLI, ANTHONY MASTROIANNI, and VINCENT G. BERGER, JR. from prosecuting plaintiff for criminal contempt pending the determination of the appeal of ERNEST L. SIGNORELLI from the Judgment and Order which sustained plaintiff's Writ of Habeas Corpus.

c. restraining ERNEST I,. SIGNORELLI from hearing or adjudicating any matter wherein your deponent is a party or an attorney.

d. compelling ERNEST L. SIGNORELLI and VIRGINIA D. MATHIAS to place in the custody of this Court the original stenographic minutes of the Surrogate's

Court: Suffolk County with respect to the Estate of EUGENE PAUL KELLY, deceased, of January 25, 26, and 27, 1978, after same has been transcribed.

e. compelling the defendant, JOHN P. FINNERTY, to properly and timely serve the legal documents of the plaintiff...."

3. The allegations in the moving affidavit were not denied or controverted in any respect, included the assertion that:

"if the Judgment/Order of Mr. Justice GEORGE F.X. McINERNEY is reversed then the present Contempt proceedings against plaintiff cannot be sustained since it would constitute "Double Jeopardy" and thereby violative of the Constitution of the United States.

Consequently so long as the possibility exists that a reversal may occur, these defendants, ERNEST L. SIGNORELLI, ANTHONY MASTROIANNI, and VINCENT G. BERGER, JR., should be restrained from proceeding on the Contempt renewal against your deponent."

With opposing papers due by February 20, 1978, on February 24, 1978, *Ernest L. Signorelli sua sponte* issued a five (5) page "diatribe" against me, wherein he "*recused*" himself and which concluded as follows:

"I am accordingly directing the Chief Clerk to forward a copy of this decision to the Presiding Justice of the Appellate Division, Second Judicial Department, for such disciplinary action as he may deem appropriate with regard to the conduct of George Sassower and Doris L. Sassower."

Part "14":

1. *Ernest L. Signorelli* falsely described this "diatribe" as a "Decision & Order", which it was not, because there was nothing before Surrogate's Court to decide, and it decided nothing!

Confronted by proceedings in Federal Court, including enjoining him from acting as a jurist in matters that I was involved, he determined to, *sua sponte,* recuse himself!

The diatribe, labeled as a "Decision & Order" was published in "hard print" by the New York Law Journal on March 3, 1978.

2. Although there was *nothing* in the "diatribe" supporting a charge of ethical misconduct by *Doris L. Sassower*, Esq., the Grievance Committee, Ninth Judicial District served her with a complaint-letter, which was responded to by her on March 28, 1978 (File #999).

At the time neither *Geo. Sassower*, Esq. or *Doris L. Sassower*, Esq. were aware of the letter by Presiding Justice *Milton Mollen* to Surrogate *Ernest L. Signorelli*, a copy of which had been sent to the Ninth District Grievance Committee.

The response of *Doris L. Sassower*, Esq., in part, reads as follows:

"It is a misnomer to refer to the complaint as a "Decision" or as an"Order", which implies some determination after hearing all sides. This was a "personal rampage" by the complainant under "color of authority" and in palpable abuse of his office, to denigrate me and others without affording the minimal requirements of due process or common decency.

I am not a party or an attorney for any party in this matter at present and have not been for some period of time. Nevertheless because my husband had pending a motion in the United States Court to prohibit the complainant from acting as Surrogate, and for invasion of his civil rights, the complainant, after refusing to recuse himself, went on this sua sponte diatribe.

There was no motion before the Court. There was no motion any longer before the Surrogate requesting that he recuse himself. There was no notice to me of an intention to charge me with any dereliction that might have forewarned me to submit papers in explanation and opposition so that a decision could be made on papers before

the court. There was nothing resembling "due process" or fairness" or "decency" in form or substance.

Unfortunately since nothing was determined (except that he recused himself), and particularly since I am not a party or an attorney for any party in this action, I have nothing to appeal and am not legally aggrieved by any aspect of the Order."

If there was anything in this "diatribe" or "rampage" which charged *Doris L. Sassower*, Esq. with anything that might be construed as improper action, as distinguished from unethical conduct, she decisively demolished any such assertion, as subsequent hearings confirmed.

6. Although there was an absence of "hard evidence" of the involvement of Presiding Appellate Division Justice *Milton Mollen*, the inference was compelling that Surrogate *Ernest L. Signorelli*, by making these disciplinary complaints to Presiding Justice *Milton Mollen* was that he would forward it to the Grievance Committee, Ninth Judicial District!

This is precisely what happened, despite the lack of merit, Chief Counsel *Donald Humphrey* began to pursue *George Sassower*, Esq. and *Doris L. Sassower*, Esq., not because of the charges, but their source!

7. Since *Ernest L. Signorelli* recused himself it was believed the Order to Show Cause U.S. District Court Judge *Jacob Mishler* was moot, which proved to be premature.

Part "15":

1. The simultaneously issued Warrant, also dated March 8, 1978, by Acting Surrogate *Harry Seidell* was not executed or intended to be executed because of, *inter alia,* the "double jeopardy" prohibition!

2. For four (4) months the Deputy Sheriffs of Suffolk County and *Charles W. Brown* made repeated forays into Westchester, New York & Kings Counties, when they knew I was not there, pretending at the time, purportedly to seek & arrest "*Geo. Sassower, Fugitive From Justice*" or determine his whereabouts so that they could arrest him, or so they said.

When they knew I was on trial in Brooklyn, they would come to Westchester seeking to arrest "*Geo. Sassower, Fugitive From Justice*"!

When they knew I was in Westchester County, these Deputy Sheriffs would go to Brooklyn, seeking to arrest "*Geo. Sassower, Fugitive From Justice*"!

3. During this period of time, I repeatedly offered to surrender at Supreme Court Westchester County where I could get an immediate Writ of Habeas Corpus upon being arrested, but they insisted, upon instructions from *Ernest L. Signorelli*, that I had to surrender in Suffolk County, no place else!

4. My youngest daughter was eleven (11) at the time, and these visits to the homes of her school-mates & friends seeking to arrest "*Geo. Sassower, Fugitive from Justice*" began to have medical consequences, causing them to remove themselves from our home! Nevertheless, these forays continued, at taxpayers cost & expense!

5. To this day – thirty (30) years later some referred to me as the "Fugitive, From Justice"!

Part "16":

1. On June 7, 1978, I moved the Supreme Court, Westchester County, for an Order :

"restraining the Respondent (*John P. Finnerty*, Sheriff of Suffolk County), his servants, agents and/or employees from entering any county outside of Suffolk County for the purpose of arresting Petitioner, prohibiting them from removing Petitioner from the County of his arrest or detention and/or restraining them from preventing Petitioner from seeking a Writ of Habeas Corpus in the county of his arrest and detention and the District of the Federal Court of such arrest and detention, together ...."

The *undenied & uncontroverted* allegations of the Petition of June 7, 1978, stated:

"On or about March 8, 1978 there was issued to the Respondent a Warrant of Arrest against the Petitioner based upon an Order of Criminal Contempt.

That such Warrant of Arrest and Order of Criminal Contempt are clearly and patently unconstitutional and known to the Respondent as illegal and unconstitutional."

2. Although the respondent had in hand my Petition & Notice of Motion of June 7, 1978, he, on Saturday, June 10, 1978, dispatched two (2) Deputy Sheriffs to go to Westchester County to execute an invalid Warrant of Arrest in a County where they had no "jurisdiction".

3. According to respondent's log, the two (2) Deputy Sheriff's arrived at the Post Office, a few blocks from my residence at "7:15 AM" and when he was all alone, "at 9:30 AM", they seized him and took him back to Riverhead and the Suffolk County jail.

4. On route, while passing Police Headquarters in New Rochelle, an altercation occurred when I attempted to attract the attention of the Police to the abduction that was taking place, resulting in injuries to myself and one Deputy Sheriff.

5. Later that day, my wife, *Doris L. Sassower*, Esq., learned of my seizure and obtained a Writ of Habeas Corpus from NY Supreme Court Justice *Anthony J. Ferraro* of Westchester County directing my release "on my own recognizance".

She then, with my middle daughter, drove to the Suffolk County jail, presented this Writ of Habeas Corpus, and instead of releasing me, they were also incarcerated.

6. While all three (3) Sassowers were incarcerated, *Anthony Prudenti* or someone on his behalf telephoned *Meade H. Esposito*, who telephoned Presiding Justice *Milton Mollen*, who telephoned Mr. Justice *Anthony J. Ferarro* and requested that he modify his Writ of Habeas Corpus so that *Geo. Sassower* remain incarcerated until the Writ was returnable on Monday morning.

Mr. Justice *Anthony J. Ferarro* refused stating he understands *Geo. Sassower* was on trial in Supreme Bronx on June 8th, that this was the third time he had been *unconstitutionally* convicted *in absentia*, that he was due to be upstate New York on trial representing a judge and that he, as Presiding Justice had the authority to modify his Writ, but that he was not!

7. With such refusal by Mr. Justice *Anthony J. Ferraro* to be "***fixed***" by Presiding Justice *Milton Mollen*, all three (3) Sassowers were released from their incarceration in the Suffolk County Jail!

Part "17":

1. Within a few days, *every* judge in the Second Judicial Department becomes aware of the attempt to "***fix***" Mr. Justice *Anthony J. Ferraro* by Presiding Justice *Milton Mollen* as requested by *Anthony Prudenti & Meade H. Esposito* and now acted accordingly.

2. As desired by a telephone calls by *Ray Nugent*, the law secretary to Judge *Harry Seidel* to the Westchester County jurists, the habeas corpus proceeding and al other *Signorelli-Seidell* proceedings are transferred to Suffolk County and determined by the thrall of *Anthony Prudenti*.

3. However they could not transfer the Assault charges of a Suffolk County Police Officer which occurred in Westchester County which upon conviction would automatically result in my disbarment.

On October 18, 1978, the charges were "dismissed" since the Suffolk County Deputy Sheriffs were not Police Officers in Westchester County and for no other reason.

Part "18":

1. *After* the Appellate Division confirmed the "dismissal" of *all* thirty-four (34) charges against *Geo. Sassower & Doris L. Sassower*, Esq., I began to circulate some of the evidence & testimony produced in the proceeding against me.

Chief Counsel *Gary L. Casella* requested that I cease, holding the proceedings to have been "confidential". Notwithstanding *Landmark v. Va.* (435 U.S. 829 [1998]), I told him, anyone who asserts that where the accusations are in "hard published print", the vindication should be "confidential" has a "diseased mind"!

Chief Counsel *Gary L. Casella* made a formal application to compel me to cease publication, which came before NY Associate Appellate Division Justice *Theodore R. Kupferman* of the First Judicial Department.

In front of Assistant Counsel, *Richard Grayson* "George, do me a personal favor, just say you were 'resoundingly vindicated' and leave it at that". It was a request I could not refuse!

2. However, in my wildest imagination, I could not anticipate that while I kept silent, the Appellate Division and others would keep publishing that I had been removed, that I refused to turn over assets and related nonsense in order to conceal, *inter alia*, that *Kelly* assets were being dissipated for the *personal* benefit of *Ernest L. Signorelli*!!!

Chapter "III"

Part "1": **"The Immutable Facts"**

1. ***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*".

2. 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 New York State Attorney General ["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*"!

3. 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*)!

4. The transmission of the final and remaining judicial trust cash assets of *Puccini Clothes, Ltd.* in the approximate amount of $800,000 as "*bribes*" for judges, which was an express pre-condition for a "*bribe*" payment of $4,200,000 by *Citibank, N.A.* from its own assets was consummated years later by U.S. Attorney ***Samuel A. Alito***, at monumental federal cost and expense, with the assistance of NYSAG ***Robert Abrams***, the statutory fiduciary.

The *quid pro quo* for this $5,00,000 "*bribe*" was civil, criminal & disciplinary immunity for *Citibank, N.A.* and its entourage (***"The Citibank Bribes for Total Immunity Agreement"*** [***"The Agreement"***]).

5. To *preserve* the remaining assets in *Puccini Clothes, Ltd*, until it could be transmitted as "*bribes*" for judges and provide *immunity* for *Citibank, N.A.* and its entourage "*transparently invalid*" injunctions were issued (*Geo. Sassower v. Sheriff of Westchester County*, 651 F. Supp. 128, 131 [SDNY-1986] *Raffe v. Doe*, 619 F. Supp. 891 [SDNY-1985]).

6. Today, thirty-two (32) years after *Puccini Clothes, Ltd.*: (1) there are *none* of mandatory accountings by the court-appointed receiver; (2) there are *none* of the mandatory applications by the NYSAG to compel the court-appointed receiver to "account & distribute" (3) is *no* valid judgement or final order terminating this judicial trust proceeding; (4) *no* order discharging *Lee Feltman* or his surety, *Fidelity & Deposit Company of Maryland* ["F&D"] and (5) *none* of the mandatory *NY Judiciary Law* §35-a Statements.

7. Any attempt by the court-appointed to account, a mandatory pre-condition for a judgement or final order terminating the judicial trust proceedings, an order discharging him & his surety, would result in "*restitution*" & "*reimbursement*" to the victims, including the United States & State of New York!

Every judge, government & media representative *must* be "***fixed***" to prevent such event. There can be no defectors!!!

Part "2":

1. In anticipation of being elevated to be Chief U.S. District Court Judge for the Southern District of New York on October 1, 1986, *Charles L. Brieant* and NY Appellate Division *Francis T. Murphy* of the First Judicial Department, concocted & contrived a base criminal scheme for the transmission of the remaining judicial trust assets of *Puccini Clothes, Ltd.* as "*bribes*" for judges.

2. The ***Brieant-Murphy*** criminal scheme involved the publication in the *New York Times* ["NY Times"] and *New York Law Journal* ["NYLJ"] of fraudulent "legal notices" which stated that ***Lee Feltman***, Esq., the court appointed receiver for *Puccini Clothes, Ltd.* would have his "*final accounting*" "approved" on October 30, 1986, at 10:00 a.m., by NY Referee ***Donald Diamond***, who would then terminate the Puccini proceeding by issuing a "final order", discharge Feltman and his surety.

However, there was *no* "*accounting*", final or otherwise. It was "*fictitious*", "*phantom*" and "*non-existent*", and even if it existed, and it did not, Referee *Donald Diamond*, an at-will employee, had no legal authority to approve any accounting, to terminate the trust proceeding, discharge Feltman or his surety (*NY CPLR* §4317[b]).

3. When neither the NY Times nor NYLJ, absent a Court Order, would repudiate these *fraudulent* "legal notices", although they had independently verified they were *fraudulent*, although my liquid assets were greatly in excess of my minimal liabilities, on October 28, 1986, the eve of the consummation of this published *Brieant-Murphy* fraud, I filed a voluntarily petition in bankruptcy (*In re: Geo. Sassower*, 86 Bkcy 20500 [SDNY-HS]), which vested all my assets in the U.S. District Court (28 *U.S.C.* §1334), gave the U.S. District Court *exclusive* jurisdiction of all my property and automatically "stayed" all proceeding affecting same (11 *U.S.C.* §362), including the fraudulent *Donald Diamond* "approval" proceedings.

The *Brieant-Murphy* entourage were caught with "their pants down", as they were about to consummate the transfer of the $800,000 of cash assets of *Puccini Clothes, Ltd.*, as "*bribes*".

4. Although "*retaliation*" was prohibited for such bankruptcy filing (11 *U.S.C.* §525), it was draconian against me, my family, clients & friends!

5. With a constant flow of "***fixing instructions***" by Chief Judge *Charles L. Brieant*, one of the recipients of this $5,000,000 payment to, *inter alia*, Bankruptcy Judge *Howard Schwartzberg* & *Jeffrey L. Sapir*, the trustee in bankruptcy, I published & extensively distributed that the U.S. District Court was "***Unfit for Human Litigation***" and the proceedings were transferred to the District of New Jersey.

6. Since I was aware of the conversations between U.S. District Court Judge *Nicholas H. Politan* & Chief Judge *Charles L. Brieant*, they assumed someone in their courthouses was providing me with such information.

Consequently a *Politan-Brieant* Order was issued that I, an American-born citizen, a battle-starred veteran of World War II, may not physically enter their courthouses, even when my interests were being litigated, absent their permission!

Part "3":

1. To implement "***The Citibank Bribes for Total Immunity Criminal Enterprise***" ["***The Enterprise***"], arising out of "***The Agreement***"] the *U.S. Third Circuit Court of Appeals*, by an Order dated February 12, 1992, "*enjoined*" any action or proceedings by *Geo. Sassower* against seventy-nine (77) persons and entities (*Geo. Sassower v. Abrams/Feltman*, 1992 U.S. App. Lexis 38245 CCA3 - 91-8063]), [numbers added to facilitate identification], who were involved in the matters revolving in *Puccini Clothes, Ltd.*, as well as the *Estate of Eugene Paul Kelly, deceased*!

> "(1) Robert Abrams; (2) Samuel A. Alito Jr.; (3) A.R. Fuels, Inc.; (4) Jerome H. Barr: (5) Joseph W. Bellacosa; (6) Howard M. Bergson; (7) Berlin, Kaplan, Dembling & Burke, P.C.; (8) Charles L. Brieant; (9) Cahn, Wishod, Wishod & Lamb; (10) Susan Cassell; (11) Michael Chertoff; (12) Citibank, N.A.; (13) Clapp & Eisenberg, P.C.; (14) William C. Conner; (15) David S. Cook; (16) Kenneth M. Cozza; (17) Eugene Dann; (18) Donald Diamond; (19) Denis Dillon; (20) Wilfred Feinberg; (21) Lee Feltman; (22) Feltman, Karesh, Major & Farbman; (23) Robert W. Gaffey; (24) James C. Francis, IV; (25) Ira Gammerman; (26) David Greenberg; (27) Matthew

Ireland; (28) Harold Jones; (29) Bentley Kassal; (30) Irving L. Kaufman; (31) Daniel Kelleher; (32) Alvin F. Klein; (33) Kreindler & Relkin, P.C.; (34) Theodore R. Kupferman; (35) Hugh Leonard; (36) J. Kenneth Littman; (37) Anthony Mastroianni; (38) Roger Miner; (39) Jacob Mishler; (40) Thomas J. Meskill; (41) Milton Mollen; (42) Sally Mrvos; (43) Francis T. Murphy; (44) Nachamie, Kirschner, Spizz & Levine, P.C.; (45) Eugene H. Nickerson; (46) Ira Postel; (47) George C. Pratt; (48) Puccini Clothes Ltd.; (49) Hyman Raffe; (50) Rashba & Pokart; (51) Reisman, Peirez & Peirez, P.C.; (52) Reisman, Peirez, Reisman & Calica; (53) Xavier C. Riccobono; (54) Ernst H. Rosenberger; (55) Rothbart, Rothbart & Kahn; (56) Isaac Rubin; (57) Matthew D. Sansveri, (58) Joseph 5. Santacroce; (59) Jeffrey L. Sapir; (60) David B. Saxe; (61) Walter H. Schackman; (62) Schneck & Weltman; (63) Howard Schwartzberg; (64) John 5. Scura; (65) Ernest L. Signorelli; (66) Sills, Cumis, Zuckerman, Radin, Tishman, Epstein & Gross, P.C.; (67) P. Douglas Sisk; (68) Jeffrey I. Slonim; (69) Peter Sordi; (70) Robert Sorrentino; (71) Robert H. Straus; (72) Suffolk, New York, County of; (73) William C. Thompson; (74) Ellsworth A. Van Graafieland; (75) Marcia Waldron; (76) Moses M. Weinstein; and (77) Charles Zangara."

Chapter "IV"
"**DLS – The Hostage**"

Part "1":

1. The *undenied & uncontroverted* allegations, including by Chief Counsel *Gary L. Casella*, in *Geo. Sassower v. Abrams/Feltman* (*supra*) of July 8, 1991, at the Third Circuit Court of Appeals insofar as it concerns *Doris L. Sassower*, Esq., where the relief sought was:

> "why a Temporary Restraining Order and/or a Preliminary Injunction should not be issued restraining Grievance Committee for the Ninth Judicial District from prosecuting and otherwise harassing DORIS L. SASSOWER, Esq. by reason of appellant's legal activities in, and exposures made to, this Court."

2. The *undenied & uncontroverted* allegations include:

> " 1a. This affirmation will prove beyond a peradventure of doubt that DORIS L. SASSOWER, Esq. ["DLS-The Hostage"] is, once again, being made the object of unconstitutional invidious selectivity by THE GRIEVANCE COMMITTEE FOR THE NINTH JUDICIAL DISTRICT ["GC"].
>
> b. With subpoena power, affirmant can demonstrate that such unconstitutional action is being taken against "DLS-The Hostage" in retaliation for affirmant's legal activities in, and exposures made to, this Court. Consequently, in the event this aspect is denied by or on behalf of GC, a hearing is respectfully requested.
>
> 2. This motion is made for the retaliatory actions by GC against "DLS-The Hostage", affirmant's former wife, in vindication of:
>
> a. Affirmant's First Amendment rights.
>
> b. This Honorable Court's "duty" to protect its litigants from retaliatory action by governmental agencies, their attorneys and others acting under "color of law" by reason of such litigation in this Court.
>
> 3a. This motion is being made without the knowledge or consent of "DLS-The Hostage", since it is affirmant's constitutional rights and this Honorable Court's obligations which are sought to be protected and vindicated.
>
> b. Furthermore, as "DLS-The Hostage", and others in the American judicial world know, to be associated with affirmant is a "death wish".
>
> 4. In the American judicial cosmos affirmant is "death incarnate". ...
>
> c. "DLS-The Hostage" has been openly threatened and harassed by "the criminals with law degrees", the clients of CLAPP & EISENBERG, P.C. ["C&E"] in an attempt to compel affirmant to submit to the criminal code of silence [omerta].

d. Affirmant's and DLS's children are threatened and harassed because of affirmant's activities. ...

5a. Affirmant is very familiar with the law and practices on the local issues discussed herein, including that revolving around GC.

b. As far as affirmant is aware, the GC has never lost a case. Operating under a 1909 statute and dark-age procedures, it is near impossible for any attorney to be vindicated once he or she is made a target.

6a. The only know vindications to a GC proceeding has been by GC and "DLS-The Hostage".

b. One of the most intensive and expensive prosecutions by GC arose out of the improprieties that were taking place in the Court of Surrogate ERNEST L. SIGNORELLI ["Signorelli"] of Suffolk County, New York, which activities included the satisfaction of Surrogate Signorelli's personal monetary obligations by creditors making fictitious claims against estates in that Court, which were then approved by the Surrogate.

c(1) For exposing, *inter alia*, such criminal activities GC made affirmant the subject of a disciplinary prosecution.

(2) " DLS-The Hostage" who was not, in any way, involved in such exposures, was simultaneously made the subject of a disciplinary proceeding by GC at the instance of Surrogate Signorelli.

c. Thus, in the GC universe, if you expose judicial misconduct, you invite a disciplinary proceeding by GC, and if you do not expose same as mandated by the Code of Professional Responsibility (DR 1-103) you are unquestionably in violation thereof.

7a. Without a trial or opportunity for one, and without any live testimony in support thereof, affirmant was incarcerated twice by the Signorelli entourage.

b. Additionally, for simply serving a writ of habeas corpus directing affirmant's release from incarceration, "DLS-The Hostage" and my middle child, were also incarcerated.

c. As a result of such barbaric misconduct, affirmant's exposures became more intense and consequently, 34 counts of disciplinary misconduct was lodged by GC against affirmant, as well as "DLS-The Hostage".

d. The end result was a 34-0 vindication, with leave granted to "DLS-The Hostage" to seek sanctions against GC.

e. Needless to say while the GC could afford the approximately $500,000 expenditure of public funds, affirmant and his spouse could not easily afford the fractional cost that they had to personally bear ...

9a. With affirmant still refusing to remain silent concerning the Signorelli matter and the matter revolving around the judicial trust assets of PUCCINI CLOTHES, LTD. ["Puccini"], it became "open season" for those who were associated with him, actually or perceived.

b. Retaliatory action against the hostages became intense when affirmant recognized that by simply filing a petition in bankruptcy his assets automatically vested in the U.S. District Court (28 U.S.C. §1334[d]), retaliatory action was expressly enjoined (11 U.S.C. §525), and affirmant afforded other immunities (11 U.S.C. §362).

10a. While affirmant was in Bankruptcy Court in New Jersey, a retaliatory disciplinary proceeding was commenced against "DLS-The Hostage", which affirmant attempted to abort.

b. As long as affirmant was in bankruptcy and his assets, including his contractually based judgment, vested in the U.S. District Court, no sham accounting for Puccini could be engineered, the Kelly estate was protected from the larcenous encroaches

of Surrogate Signorelli, "DLS-The Hostages" and the other hostages had some minimal protection.

c. Once affirmant's bankruptcy proceeding was closed in New Jersey, the second sham and expensive proceeding was prosecuted and this also terminated in favor of DLS.

11a. With the continued exposures by affirmant, a third proceeding was commenced against "DLS-The Hostage, which still pends and awaits a trial.

b. A copy of the petition is in affirmant's possession and it speaks loudly and eloquently, particularly since in the 34-0 vindication the Court held, as a matter of law, that the hereinafter described matters were not the subject of disciplinary proceedings.

(1) Charge One:

> "At the time of the scheduled closing, the respondent [DLS] improperly refused to deliver the deed over to Ms. ... due to the existence of a fee dispute between respondent and Ms. ... [emphasis supplied]"

(2) Charge Two:

> "On or before the rescheduled date of the closing, the respondent improperly served a document on the lending bank that purported to be a `charging lien' which was not authorized by Judiciary Law §475, or any other statutory or common law authority. [emphasis supplied]"

(3) Charge Three:

> "... the documents for security for the payment of legal fees ... the respondent recorded the Judgment ... . [emphasis supplied]"

(4) Charge Four:

> " ... served a document on Mrs. ... Massachusetts attorney, which purported to be a `charging lien' against property owned by Mrs. ..., which was not authorized by Judiciary Law §475 or any other statutory or common law authority." [emphasis supplied]"

(5) Charge Five:

> "In apparent retaliation for being discharged, the respondent prepared a revised bill dated .... wherein suddenly recompute the hours billed at the rates of ..... an hour. ... [emphasis supplied]"

12a. Assuming arguendo the GC allegations are true and correct, there is absolutely no question that:

> (1) attorneys have "charging lien", as well as `retaining lien' rights;
>
> (2) once the law permitted attorneys to charge fees, and not relegated only to receiving "gratuities" for their services, the common law recognized their lien rights;
>
> (3) N.Y. Judiciary Law §475 is an attorney lien statute; and
>
> (4) when an attorney is discharged without legal cause he may, in New York, be compensated at a greater, quantum meruit, basis.

b(1) GC could not possibly have brought the aforementioned charges and had any hope of success in view of the material found in 7 Am Jur. 2d Attorneys §315, §324, p. 332, 336, et seq., or 7A CJS Attorneys §357-§359, p. 707-713, et seq., or 7 NY Jur. 2d Attorneys at Law §168, §175, p. 84, p. 96, or any other recognized authority.

(2) In 7 NY Jur. 2d (supra, at §175, p. 97), it states:

"Although the charging lien was originally of common-law origin it is now defined, enlarged and virtually superseded by a section of the Judiciary Law (Judiciary Law §475)."

c. In Matter of Montgomery Estate (272 NY 323, 6 N.E.2d 40, 109 ALR 669 [1936]), an attorney had agreed to perform legal services for $5,000, but was discharged without legal cause prior to the completion of same. Based upon quantum meruit, the Court approved an award of $10,000 for the performance of only a portion of such contracted services.

d. Can there be any doubt that the aforementioned disciplinary charges are sham, made in order to harass "DLS-The Hostage", at taxpayers' expense?

e. The New York, 1909 disciplinary statute (N.Y. Judiciary Law §90[2]) provides:

"The supreme court shall have .....

22 NYCRR §691.2 Professional Misconduct Defined, provides:

"Any attorney ...

f. Does any member of this Court know of a single attorney who could not be disciplined under the aforementioned statutes? Nevertheless, GC was compelled, in order to harass "DLS-The Hostage", to choose five (5) patently meritless charges which, if asserted in a federal court, would have subjected it to Rule 11 sanctions.

g. "DLS-The Hostage" is being compelled to again undergo the expense and harassment of a third disciplinary trial by GC because she resorted to her legitimate, well-established, legal remedies for the collection of monies due her -- and -- because of her past association with affirmant.

13a. Thereafter, when "DLS-The Hostage", on medical advise, was told not to engage in trial activities for sixty (60) days, and requested a trial adjournment for that period, GC moved to have her suspended based upon disability.

b. In forty (40) years of active trial practice, affirmant has seen literally hundreds of lawyers and judges abstain from trial work for substantial periods of time without being totally suspended from their legal practice or made the subject of an 18 U.S.C. §372[c] adjudication.

c. 28 U.S.C. §372[c] provides:

"Any person alleging that a .... [federal] judge or a magistrate ... is unable to discharge all the duties of office by reason of mental or physical disability ..." [emphasis supplied]

d. Every federal judge, at one time or another, cannot "discharge all the duties of office", which does not compel, ex proprio vigore, his suspension from all duties as a judge.

e. Affirmant can supply this Court with a long list of judges and lawyers who, for one reason or another, disengaged themselves from trial work for substantial periods of time, without being disqualified from all judicial or legal obligations.

f. The aforementioned suspension of "DLS-The Hostage" is transparent pretext. ....

15a. Obviously, affirmant was correct, for while he was incarcerated, the "criminals with law degrees" engineered the "approval" of a non-existent "final accounting" by Referee DONALD DIAMOND ["Diamond"] for Puccini's judicial trust assets.

b. Such sham approval needed the consent of N.Y.S. Attorney General ROBERT ABRAMS ["Abrams"], the statutory fiduciary, who is also the attorney for GC.

c. Abrams is running for the U.S. Senate from New York, and for such political campaign, Abrams has amassed a sum of money which would have whetted the appetites of "All the President's [Nixon] Men".

d. Are such millions coming from Puccini and similar judicial trusts -- constitutional "persons" within the meaning of Amendment V and XIV of the U.S. Constitution, and not judicial fortune cookies?

16a. In short -- no one disputes that if affirmant agrees to remain silent, "Raffe-The Hostage" would no longer have to pay extortion monies, "Vilella-The Hostage" would be freed from his incarceration, and "DLS-The Hostage" would have GC "off her back".

b. Since the United States, Israel and most other civilized nations refuse to negotiate with the Mideast barbarians who hold innocent hostages for their ransom value, affirmant believes his inexorable position on the subject needs no further justification.

All of the aforementioned is affirmed to be true under penalty of perjury.

Dated: White Plains, New York
April 6, 2012

GEORGE SASSOWER

cc: Chief Counsel Gary L. Casella
Doris L. Sassower, Esq.