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April 11, 2012

Departmental Disciplinary Committee
61 Broadway,
New York, New York 10006

Re: A. Gail Prudenti #1667617

Sirs:

1. The core of this complaint against *A. Gail Prudenti*, Esq., as Chief Administrator of the Office of Court Administration, whose main office is in the First Judicial Department, is that she was & is employing her office to aid & abet the larceny of judicial trust assets, mandating her disbarment.

For her misconduct in the Second & Third Judicial Departments, I am filing separate disciplinary complaints at those disciplinary tribunals.

2. These filings are without prejudice to an 18 *U.S.C.* §3332 Grand Jury application and related proceedings.

Part "A":

"thieves for their robbery have authority, when judges steal themselves" (*Shakespear's Measure for Measure*, 2:02, 175).

1. Absent articulated justification, the failure to disbar *A. Gail Prudenti*, Esq. based on her misconduct as Chief Administrator; has collateral consequences, of importance to every lawyer, and every client of every lawyer (*see, e.g., Middlesex County Bar v. Garden State Bar*, 457 U.S. 423 [1982]; *Association of the Bar of the City of New York v. Isserman*, 271 F.2d 784 [2nd Cir.-1959]).

2. Judicial trusts, like corporations, are "*persons*", within the meaning of Amendments V & XIV of the *Constitution of the United States*, and court appointees act under "color of law", within the meaning, criminal & civil, of Federal Civil Rights statutes (18 *U.S.C.* §242, 42 *U.S.C.* §1983).

3. The Criminal Code, 18 *U.S.C.* § 2[b], holds accountable, not only the "actor", but also those who "aid & abet" (*U.S. v. Terry*, 17 F.3d 575, 580 [2nd Cir-1994]), for which there is no immunity for *anyone*, including judges (*Ex parte Virginia*, 100 U.S. 339 [1880]).

Part "B":

1. On February 6, 2012, I wrote to *John W. McConnell*, Esq., who I was informed is Chief Counsel of the Office of Court Administration, enclosing the negative *NY Judiciary Law* §35a response received from his office, and wrote him:

"Awards were made in the above (*Kelly Estate & Puccini Clothes*) judicial trust estates more than thirty (30) years ago, I expect to hear of the intentions of your office with respect to same by February 14, 2012."

I have heard nothing!

2. *NY Penal Law* § 195.00. (*Official Misconduct*) provides:

"A public servant is guilty of official misconduct when, with intent to obtain a benefit or deprive another person of a benefit:

2. He knowingly refrains from performing a duty which is imposed upon him by law or is clearly inherent in the nature of his office".

A *Penal Law* §195 prosecution of *A. Gail Prudenti*, Esq. would consume about five (5) minutes of "live" testimony and result in a "slam dunk" conviction.

Part "C":

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.

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*!

2. 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.

A. During the intervening thirty-five (35) years, *A. Gail Prudenti* was the Surrogate of Suffolk County, the Administrative Judge of Suffolk County, Associate & Presiding Justice of the Appellate Division, Second Department, and did *nothing* to remedy the situation, but this aspect is not before you!

B. *A. Gail Prudenti*, after having been "*fixed*" by NY State Supreme Court Administrative Judge *Francis A. Nicolai* of Westchester County, had *E. Michael Kavanagh*, a Third Department Supreme Court Justice, assigned to *all* my cases pending in Westchester County, which is in the Second Department, but this aspect is also not before you!

3. In a few counties, such as Suffolk County, the Public Administrator is a "salaried" employee (*Surrogate's Court Procedure Act* §1207), with all fees received by him turned over to the County, and all "legal" work for the Public Administrator done "free of charge" by the County Attorney.

Thus, there was no need for the Public Administrator to have compensated attorneys in those counties enumerated in *Surrogate's Court Procedure Act* §1207, except if the intent was to defraud the County, as well as the judicial trust.

4. The successive, but needless, attorneys for *Anthony Mastroianni*, the Public Administrator, in the *Kelly Estate* were: (1) *Vincent G. Berger, Esq.*, (2) *Irwin Klein, Esq.* & (3) *Richard C. Cahn, Esq.*, whose services were for *Ernest L. Signorelli*, "*personally*", in *other* matters for which they were to be compensated from *Kelly Estate* assets.

A. *Vincent G. Berger, Esq.* was the campaign manager for *Ernest L. Signorelli* when he ran for Surrogate in 1975, and was his intended campaign manager when he ran for Congress. To compensate him for such past & future services, he was to be paid from the *Kelly Estate* and other Suffolk County estates.

When the U.S. Circuit Court of Appeals held in *Signorelli v. Evans, as Chief Administrative Judge*, 637 F.2d 853 [2nd Cir.-1980]) that he could not "sit" as Surrogate and "run" for Congress, he no longer had need for his campaign manager, *Vincent G. Berger, Esq.*, so he had *Anthony Mastroianni* "dump" him as his attorney in the *Kelly Estate* and retain *Irwin Klein, Esq.*, his *personal* matrimonial attorney in order to satisfy his financial obligations to him as a result of the divorce action

brought by his wife who caught him having an extra-marital affair in his judicial chambers (*New York Post*, June 2, 1981)!

When, Governor, then President, *William J. Clinton*, was involved with “*Paula*”, then “*Monica*”, neither the State of Arkansas nor the United States paid for their “*personal*” defenses!

However, in New York, a Surrogate can engage in these extra-marital trysts, in the Courthouse, at governmental & judicial trust cost & expense, the constitutional prohibition notwithstanding (*NY State Constitution* Article XIII §7).

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

B. Obviously, *Anthony Mastroianni*, thereafter the Republican leader of Suffolk County could not “settle his account” or permit *NY Judiciary Law* §35-a Statements to be filed since “*restitution*” to the *Kelly Estate/Trusts* would be compelled!

The fraud was compounded when, because of his misconduct *Anthony Mastroianni* was denied all fees (*Estate of Eugene Paul Kelly [Mastroianni]*, 147 A.D.2d 564, 537 N.Y.S.2d 857 [2nd Dept.-1989], appeal dismissed 78 NY2d 904, 573 NYS2d 460 [1991]).

Every Chief Administrator of must be “fixed”!

Part “D”:

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 involuntarily dissolved, *Citibank & Barr* and their attorneys, *Kreindler & Relkin, P.C.* [“K&R”] began to engineer the larceny of its judicial trust assets, which monies 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. Forty-two (42) months after *Puccini Clothes, Ltd.* was involuntarily dissolved, immediately following the decision in *Barr v. Raffe* (97 A.D.2d 696, 468 N.Y.S.2d 332 [1st. Dept.-1983]), came the surfacing of the initial “hard evidence” of the engineered larceny of the judicial trust assets by *Citibank, N.A.*

The surfacing of the initial “hard evidence” came when *Citibank-K&R* attempted to make “*bribes*” in the amount of \$170,000 from the judicial trust assets of *Puccini Clothes, Ltd.*, by “*laundering*” these monies through Acting NY Supreme Court Justice of New York County, now Associate Appellate Division Justice of the First Department, *David B. Saxe*.

This initial “hard evidence soon reached avalanche proportions.

Along with such “hard evidence”, came the conclusive evidence of the involvement of, *inter alia*, NY State Presiding Justice *Francis T. Murphy* of the First Judicial Department which, for years, he attempted to had attempted to conceal.

4. *Raffe v. Doe (supra)* and the “hard evidence”, as it surfaced, revealed that *Citibank, N.A.*, the financial colossus, was able to “*buy or bribe and bondage*”, “*mind, body and soul*” everyone!

There were several “*bribe*” agreements by and/or on behalf of *Citibank, N.A.* before & after November 1983.

One such agreement reached by Presiding Justice *Francis T. Murphy*, through NY State Supreme Court Administrator *Xavier C. Riccobono* of New York County, with *Citibank, N.A.* was for \$5,000,000 it, its attorneys and co-conspirators, would be provided with “total civil, criminal & disciplinary immunity” (“*The Citibank Bribes for Total Immunity Agreement*” [“*The Agreement*”]).

To conceal its own larceny of the judicial trust assets of *Puccini Clothes, Ltd.*, it conditioned the payment of \$4,200,000, on the transmission of the remaining cash assets in *Puccini Clothes, Ltd.*, in the approximate amount of \$800,000, to members of the judiciary.

No judge would order an “accounting”, even when mandatory, *Citibank, N.A.* and its attorneys asserted, if it would reveal the involvement of members of the judiciary!

5. However, *Hyman Raffé* and I had contractually based, constitutionally protected, liquid assets in *Puccini Clothes, Ltd.*, in excess of \$800,000, which could not be “impaired” by any State or Federal judge, official or employee (Article 1 §10[1] & Amendment V of the *Constitution of the United States*). Thus, there was nothing left as and for “bribes”!

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] *Raffé v. Doe*, 619 F. Supp. 891 [SDNY-1985]) and otherwise made the subject of a “*Reign of Judicial Terror!*”

6. Eventually, at monumental government cost & expense, *all* the judicial trust assets of *Puccini Clothes, Ltd.* were made the subject of larceny

Since a court appointed receiver must file an accounting “at least once a year” (22 NYCRR §202.52) and *NY Judiciary Law* §35-a Statements filed, *every* Chief Administrator of the Office of Court Administrator, commencing with *Joseph W. Bellacosa*, had to be “fixed”!

Since the NY State Attorney General must compel a court appointed receiver “to account & distribute” after the expiration of eighteen (18) months (*NY Bus. Corp. Law* §1216), commencing with *Robert Abrams*, they all must “fixed”!

7. 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.

Any attempt by the court-appointed receiver 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!

* *

The aforementioned is stated to be true under penalty of perjury.

Dated: White Plains, New York
April 11, 2012



GEORGE SASSOWER

cc: Chief Administrator A. Gail Prudenti