

GEORGE SASSOWER

16 LAKE STREET
WHITE PLAINS, N. Y. 10603

914-949-2169

RECEIVED

MAR 15 1989

March 13, 1989
DEPARTMENTAL
DISCIPLINARY
COMMITTEE

Departmental Disciplinary Committee
41 Madison Avenue,
New York, New York 10010

Re: Nachamie, Kirschner, Levine & Spizz, P.C.
342 Madison Avenue
New York, New York 10173

Dear Sirs:

1. This complaint sets forth only one, of the numerous, instances of unethical misconduct of Nachamie, Kirschner, Levine & Spizz, P.C. ["NKL&S"] and some of the members of that firm, clearly warranting disbarment, as a matter of law.

2a. NKL&S represents Eugene Dann ["Dann"] and Robert Sorrentino ["Sorrentino"], each holding a twenty-five percent (25%) interest in Puccini Clothes, Ltd. ["Puccini"].

Dann and Sorrentino are also contingent judgment creditors of Puccini, an involuntarily dissolved corporation.

b. Unquestionably, NKL&S owes all its clients, including Dann and Sorrentino, undivided loyalty and "zealous" representation.

3a. On October 26, 1988, Referee Donald Diamond, with the consent of NKL&S, "approved" the "final account" of Lee Feltman, Esq. ["Feltman"], the court-appointed receiver.

b. As NKL&S actual knows, there is no accounting, final or otherwise, which Referee Diamond "approved".

The "final accounting" "approved" by Referee Donald Diamond is "phantom" and non-existent.

c. Neither Feltman nor anyone else can file a true accounting for the judicial trust assets of Puccini without exposing the massive larceny and plundering that took place, to the clear disadvantage of Dann and Sorrentino and their legitimate interests in Puccini and its assets.

4a. NKL&S has in its possession the documentary evidence of the massive larceny of judicial trust assets, engineered by the firm of Kreindler & Relkin, P.C. ["K&R"], but it has made every attempt to conceal same, contrary to the interests of Dann and Sorrentino.

b. Thus, for example, when there was a fall-out for a short period of time between Feltman and K&R, Feltman, on March 5, 1986, executed an affidavit which in part stated:

"[T]hey [Kreindler & Relkin, P.C.] have substantially delayed the dissolution proceeding by impeding discovery sought by the Receiver concerning (i) the amounts that the Kaufman Estate received from Puccini after the Dissolution Order was issued enjoining such payments, and (ii) the books and records of Puccini that appear to be missing. For example, the Kaufman Estate refused to comply with a Subpoena Duces Tecum for eighteen months and remains in default in providing certain discovery despite judicial directives. Moreover, in an effort to block a lawsuit by me as Receiver against the Kaufman Estate to recover for the insolvent Puccini Estate and the payments received and retained by the Kaufman Estate in violation of the Dissolution Order in this proceeding, they have adopted the position that my law firm has a conflict of interest and I should retain another firm to prosecute such suit, threatening to delay such required lawsuit by a disqualification motion [emphasis in original]."

c. Indeed, by statute, the liability of K&R for the assets it made the subject of larceny and secreted is for "twice" the amount concealed (Bus. Corp. Law §1208).

5a. In addition to such massive larceny engineered by K&R, approximately seven hundred fifty thousand dollars (\$750,000) was taken by Feltman, Karesh, Major & Farbman, Esqs. ["FKM&F"] from Puccini, who were not entitled to anything, since they were not judicially appointed (see e.g. 22 NYCRR §660.24[f]).

b. Here again such unlawful expenditures from Puccini's judicial trust assets was made with the consent of NKL&S, although contrary to the interests of its clients.

6a. NKL&S's continued betrayal of its clients' interests is motivated by the larcenous "pay-off" received by it from K&R from Puccini's judicial trust assets.

Departmental Disciplinary Committee

March 13, 1989

b. Indeed, NKL&S was participating in the larceny of Puccini's judicial trust assets, while simultaneously the court was being inundated with perjurious affidavits and statements denying same.

7a. This reign of criminal, unlawful, and unethical conduct by NKL&S and its co-conspirators took place because, as they openly boasted, they control Presiding Justice Francis T. Murphy, Administrative Judge Xavier C. Riccobono, and other influential jurists and politicians.

b. The record in the courts, as well as with your committee, confirms the truth of these flaunts by the "criminals with law degrees".

8. To expedite a response, a copy of this complaint is being sent directly to Nachamie, Kirschner, Levine & Spizz, P.C.

Very truly yours,



GEORGE SABOWER

cc: Nachamie, Kirschner, Levine & Spizz, P.C.