

GEORGE SASSOWER

16 LAKE STREET
WHITE PLAINS, N. Y. 10603

914-949-2169

August 7, 1992

Ass't N.Y. State Atty. Gen. Armand Cicarella
202 Mamaroneck Avenue, Suite 400
White Plains, New York 10601

Dear Mr. Cicarella,

I understand that Congresswoman Nita M. Lowey has been in communication with you, and you have a general conception, or perhaps a misconception, of the situation.

I wish to make clear that the information requested herein is to enable Congresswomen Lowey to fulfill her official obligations, qua congresswoman, and qua her membership on the Congressional Task Force on Government Waste.

1a. With expedition, please mail Congresswoman Lowey a copy of the "final accounting" for Puccini Clothes, Ltd., an involuntarily dissolved corporation over which the N.Y. State Attorney General is the statutory fiduciary, which "final accounting" was "approved" by Order of N.Y. County Referee Donald Diamond.

b. An "accounting", by any definition, must contain a statement of "all assets" on the date Puccini was involuntarily dissolved, to wit., June 4, 1980. "Assets" includes, as you must be aware, "inventory", "accounts receivable", "prepaid expenses" etc.

c. To spare you needless effort, I will state no such "final accounting" exists in your office, in the court file, or any other public place, the Order of Referee Diamond as well as the legal notices in The New York Times and The New York Law Journal (Exhibit "A") to the contrary notwithstanding. This sham "approval" proceedings were blatant frauds to conceal the larceny of Puccini's judicial assets, and your candid written confirmation of such fact to Congresswoman Lowey is requested.

2a. The N.Y. State Attorney General must, as a mandatory "duty", permitting no discretion whatsoever, make application to compel an accounting after the expiration of 18 months, if not voluntarily rendered by the court-appointed receiver (Bus. Corp. Law §1216[a]).

August 7, 1992

b. Since more than 145 months have elapsed, or more than 8 times the 18 month maximum, can you advise Congresswoman Lowey when such application will be made, or whether your office considers "pay-offs" a satisfactory statutory substitute?

3a. By virtue of a federal court order, in an action which your office was a participant, there were substantial monies made payable, in haec verba, "to the [federal] court", all of which monies were diverted to the private pockets of the cronies of, inter alia, Chief U.S. District Court Judge Charles L. Brieant.

b. To enable Congresswoman Lowey, to fulfill her obligations, after consultation with Senior Assistant Attorney General David S. Cook, or other members of your office familiar with the litigation, will you confirm such fact for the Congresswoman.

c. There can be no argument that where monies are payable "to the federal court" and are diverted private pockets, Congresswoman Lowey is entitled to a full, clear, candid and honest statement of all the relevant facts so that she might properly fulfill her official obligations.

4a. There was extorted from Hyman Raffe, a sum exceeding \$2,500,000, which was paid to the cronies of, inter alia, Chief Judge Brieant, so that he might avoid incarceration under criminal convictions.

b. Such extortion is known by and received the aid and assistance of many members of your office, including Senior Assistant Attorney General David S. Cook.

c. Indeed the cancelled checks were shown to Attorney General Robert Abrams personally, whose published comments included "That's outrageous. It's unbelievable. It's disturbing" (Village Voice, June 6, 1989).

d. The proportionate share of such extorted monies due the federal, state and city sovereigns, is legitimately arguable, however it is clear that such monies do not belong in the pockets of Chief Judge Brieant's cronies (Gompers v. Buck's Stove, 221 U.S. 418, 447 [1911]; Goodman v. State, 31 N.Y.2d 381, 340 N.Y.S.2d 393, 292 N.E.2d 665 [1972]).

e. Here again, to perform her official functions properly, Congresswoman Lowey is entitled to a clear, full and frank statement of facts.

August 7, 1992

5. If you will mail me copies of the material that you forward Congresswoman Lowey, or so much as you believe appropriate, I will reproduce and mail copies to those indicated below and others.

6. Since the filed material is available under the State Freedom of Information Act, and does not exceed 5 pages, there should be no cost for same. However, for any expense required by law to be paid, will be promptly paid upon receipt of a bill.

Most Respectfully,


GEORGE SASSOWER

cc: Chief Judge Charles L. Brieant
Hon. Joseph J. DioGuardi
U.S. Attorney Otto G. Obermaier
Ass't U.S. Atty. Elliott B. Jacobson, White Plains, N.Y.
Deputy Attorney General Ronald Goldstock
League of Woman Voters
The Reporter Dispatch

COUNTY OF NEW YORK - Index No 01816/80 - NOTICE OF INTENTION BY RECEIVER TO FILE ACCOUNTS FOR FINAL SETTLEMENT - In the Matter of the Application of Jerome H. Barr and CluBank, N.A., as Executors of the Will of Milton Kaufman, Holders of One-Quarter of All Outstanding Shares of Puccini Clothes, Ltd. Entitled to Vote in an Election of Directors, For the Dissolution of Puccini Clothes, Ltd. -and- ALL OTHER ACTIONS AND PROCEEDINGS IN ANY COURT CONCERNING OR RELATING TO PUCCINI CLOTHES, LTD. ITS RECEIVER OR SHAREHOLDERS OR THEIR ATTORNEYS.

NOTICE is hereby given by the undersigned as Receiver of Puccini Clothes, Ltd that an account of his proceedings as Receiver of the above-named corporation, under oath, will be presented to the Supreme Court of the State of New York County of New York, before the Honorable Donald Diamond, Special Referee, at Room 538 of the Courthouse, 60 Centre Street, New York, New York, on October 30, 1986, at 10:00 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard, and an application will then and there be made returnable that the same be allowed and be decreed to be final and conclusive upon all persons, including those indebted to said corporation, all persons having in their possession any property of said corporation, all persons with whom said corporation has unfulfilled contracts and upon all creditors, claimants and shareholders of the corporation, and that said Receiver be authorized to make a final distribution, and upon the payment thereof, that he be discharged and his bond vacated, and for such other, further and/or different relief as to the Court may seem just and proper.

Dated: New York, New York September 10, 1986
LEE FELTMAN, ESQ.
as Receiver for
Puccini Clothes, Ltd
s17-W s24

NICHOLAS DI TOMASSO being duly sworn, says that he is the PRINCIPAL CLERK of the Publisher of THE NEW YORK LAW JOURNAL, a Daily Newspaper printed and published in the County of New York; that the Advertisement hereto annexed has been regularly published in the said THE NEW YORK LAW JOURNAL once in each of two successive weeks commencing on the 17th day of September 19 86

SWORN TO BEFORE ME, this 24th day of September, 19 86

Douglas P. Rucconelli
DOUGLAS P. RUCCONELLI
Notary at Law, State of New York
No. 422818
Qualified in Nassau County
Comm. Expires 09/23/1990

NYT The New York Times
229 WEST 43 STREET, NEW YORK, N.Y. 10036

CERTIFICATION OF PUBLICATION

OCTOBER 1

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

In the Matter of the Application of Jerome H. Barr and CluBank, N.A., as Executors of the Will of Milton Kaufman, Holders of One-Quarter of All Outstanding Shares of Puccini Clothes, Ltd. Entitled to Vote in an Election of Directors, For the Dissolution of Puccini Clothes, Ltd., - and - ALL OTHER ACTIONS AND PROCEEDINGS IN ANY COURT CONCERNING OR RELATING TO PUCCINI CLOTHES, LTD. ITS RECEIVER OR SHAREHOLDERS OR THEIR ATTORNEYS.

Index No. 01816/80
NOTICE OF INTENTION BY RECEIVER TO FILE ACCOUNTS FOR FINAL SETTLEMENT

NOTICE is hereby given by the undersigned as Receiver of Puccini Clothes, Ltd that an account of his proceedings as Receiver of the above-named corporation, under oath, will be presented to the Supreme Court of New York, County of New York, before the Honorable Don Diamond, Special Referee, at Room 538 of the Courthouse, 60 Centre Street, New York, New York, on October 30, 1986, at 10:00 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard, and an application will then and there be made returnable that the same be allowed and be decreed to be final and conclusive upon all persons, including those indebted to said corporation, all persons having in their possession any property of said corporation, all persons with whom said corporation has unfulfilled contracts and upon all creditors, claimants and shareholders of the corporation, and that said Receiver be authorized to make a final distribution, and upon the payment thereof, that he be discharged and his bond vacated, and for such other, further and/or different relief as to the Court may seem just and proper.

Dated: New York, New York September 10, 1986
LEE FELTMAN, ESQ., as Receiver for Puccini Clothes, Ltd.

I, ELAINE MOORE, in my capacity as a Principal of the Publisher of The New York Times a daily newspaper circulation printed and published in the City, County and State of New York, hereby certify that the advertisement annexed hereto was published in the editions of The New York Times on the following dates:

September 22
Elaine Moore

Approved: *Richard Polshock*
Exhibit "A"