

United States District Court

FOR THE

JUDGE DUFFY SOUTHERN DISTRICT OF NEW YORK

79 CIV. 2961

CIVIL ACTION FILE NO. _____

DORIS L. SASSOWER and CAREY A. SASSOWER

Plaintiff s,

v.
JOHN P. FINNERTY, ALLAN CROCE, HOWARD E. PACHMAN, ERICK F. LARSEN, ANTHONY MASTROIANNI, VINCENT G. BERGER, JR., WARDEN REGULA, LT. BULUK, LT. CHICHANOWICZ, SGT. REICHEL, THE COUNTY OF SUFFOLK, and others whose identity is presently unknown to plaintiffs

Defendant s.

SUMMONS

To the above named Defendant s:

You are hereby summoned and required to serve upon DORIS L. SASSOWER, Esq.

plaintiff's attorney , whose address 200 Park Avenue, New York, N.Y. 10017

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

RAYMOND F. BURCHARDT

Clerk of Court

Deputy Clerk.

Date: JUN 6 1979

[Seal of Court]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
DORIS L. SASSOWER and CAREY A. SASSOWER,

Plaintiffs,

-against-

Plaintiffs
Demand Trial
By Jury

JOHN P. FINNERTY, ALLAN CROCE, HOWARD E.
PACHMAN, ERICK F. LARSEN, ANTHONY
MASTROIANNI, VINCENT G. BERGER, JR.,
WARDEN REGULA, LT. BULUK, LT. CHICHANOWICZ,
SGT. REICHLER, THE COUNTY OF SUFFOLK, and
others whose identity is presently unknown
to plaintiffs,

Defendants.

-----x
Plaintiffs, complaining of the defendants, res-
pectfully set forth and allege:

1. The jurisdiction of this Court is invoked pursuant to the provisions of Title 28, United States Code, §§ 1331, 1343, this being a suit in law and equity which is authorized by law, Title 42, United States Code §1983 et seq., brought to redress the deprivation under color of state law, statute, ordinance, regulation, custom or usage of rights, privileges, and immunities secured by the Constitution and laws of the United States or by any Act of Congress providing for equal rights of citizens, Amendment XIV of the Constitution of the United States. The rights here sought to be redressed are rights guaranteed by the due process, privileges and immunities, and equal protection clauses of the Fourteenth Amendment to

the Constitution of the United States and Article 42, United States Code, §1983, et seq., and the matter in controversy exceeds the sum of \$10,000, as hereinafter more fully appears.

2. At all of the times hereinafter mentioned, plaintiffs were and still are citizens of the United States and within the jurisdiction of the United States, to wit, within the Southern District of New York.

3. At all of the times hereinafter mentioned, the defendants conspired and acted in consort, intending to deprive, and actually depriving plaintiffs of their constitutional and statutory rights under the laws of the United States of America.

4. Upon information and belief, the defendants have been engaged in a systematic abuse of civil and constitutional rights under color of law as part of their custom and practice with official impunity, of which their conduct herein is but a part.

AS AND FOR A FIRST CAUSE OF ACTION
ON BEHALF OF PLAINTIFFS

5. Plaintiffs repeat, reiterate and reallege each and every allegation contained in paragraphs of the Complaint numbered "1" to "4" inclusive, with the same force and effect as though more fully set forth at length herein, and further alleges:

6. On information and belief, on June 10, 1978, the agents and employees of defendant, JOHN P. FINNERTY, acting

in concert with the other defendants, entered into Westchester County, knowing that they had no official authority therein, and unlawfully detained, arrested, and abducted GEORGE SASSOWER to Suffolk County, wherein they had him incarcerated.

7. On information and belief, at the time that the agents and employees of defendant, JOHN P. FINNERTY, entered Westchester County for the purpose of detaining, arresting, assaulting, and abducting the said GEORGE SASSOWER, they and the other defendants with whom they were acting in concert, had actual knowledge that the said GEORGE SASSOWER had been, on or about March 7-9, 1978, tried, convicted, and sentenced for criminal contempt, in absentia, and with knowledge and information that he was elsewhere legally engaged, in clear violation of established legal and constitutional principles.

8. After said incarceration of GEORGE SASSOWER, on June 10, 1978, plaintiffs, being the wife and daughter of said GEORGE SASSOWER respectively, arrived at the Suffolk County Jail, and expressed a desire to visit with him during the regularly established visiting hours, and without just cause or excuse, were denied their right to visit with him by the servants, agents, and/or employees of defendants, JOHN P. FINNERTY and WARDEN REGULA, who, on information and belief were acting in concert with each other and in concert with the other defendants herein.

AS AND FOR A SECOND CAUSE OF ACTION
ON BEHALF OF PLAINTIFF, DORIS L.
SASSOWER AGAINST DEFENDANTS

9. Plaintiff repeats, reiterates, and realleges each and every allegation of the Complaint marked "1" through "8" inclusive, with the same force and effect as though more fully set forth herein, and further alleges:

10. Plaintiff is an attorney duly admitted to practice law in the courts of the State of New York and Federal courts therein.

11. On the 10th day of June, 1978, plaintiff, as an attorney, requested the opportunity to consult and confer with her client, GEORGE SASSOWER, pursuant to his request, and was refused such opportunity or any opportunity to communicate with him during his incarceration while she was at the Suffolk County Jail, all without just cause or excuse, by the servants, agents, and/or employees of defendants, JOHN P. FINNERTY and WARDEN REGULA, who on information and belief, were acting in concert with each other and with the other defendants herein.

AS AND FOR A THIRD CAUSE OF ACTION
ON BEHALF OF PLAINTIFFS

12. Plaintiffs repeat, reiterate, and reallege each and every allegation of the complaint marked "1" through "11" inclusive of the Complaint, with the same force and effect as though more fully set forth herein and further allege:

13. On the 10th day of June, 1978, plaintiffs, after

being refused an opportunity to consult and confer with said GEORGE SASSOWER as heretofore set forth herein, presented the servants, agents, and/or employees of defendants, JOHN P. FINNERTY and WARDEN REGULA, with a Writ of Habeas Corpus signed by a Justice of the Supreme Court of the State of New York, which required and demanded that said GEORGE SASSOWER be released on his own recognizance.

14. The servants, agents, and/or employees of JOHN P. FINNERTY and WARDEN REGULA were, on information and belief, acting in concert with each other and in concert with the other defendants, when they refused to honor or obey such Writ of Habeas Corpus or release said GEORGE SASSOWER as required by same, but instead, without just cause or excuse, unlawfully detained and imprisoned plaintiffs, without any charges being lodged against them, and for no reason other than that they served such Writ of Habeas Corpus and because they were the wife and child of said GEORGE SASSOWER.

15. In imprisoning these plaintiffs as aforementioned, defendants through their servants, agents, and/or employees denied them food and water; denied them bathroom facilities, although duly requested; abused and treated them uncivilly and denied them the opportunity to communicate with others in order to secure aid.

16. Additionally, at all the times that the plaintiffs were at the Suffolk County Jail, they were denied the opportunity

to communicate with GEORGE SASSOWER and their requests for information concerning said GEORGE SASSOWER were callously and deliberately ignored. Instead, the plaintiffs were given no information or false and misleading information, with knowledge that such information was false and misleading.

AS AND FOR A FOURTH CAUSE OF ACTION
ON BEHALF OF DORIS L. SASSOWER

17. Plaintiff repeats, reiterates, and realleges each and every allegation of the Complaint marked "1" to "16" inclusive, as if more fully set forth at length herein and further alleges:

18. On information and belief, and prior to June 22, 1977, GEORGE SASSOWER commenced a proceeding against ERNEST L. SIGNORELLI, Surrogate of Suffolk County, and protested some of the demands and actions of such Surrogate which the said GEORGE SASSOWER deemed illegal and improper.

19. On information and belief, on June 22, 1977, the Surrogate, in concert with others, held a knowingly "mock trial", wherein, in absentia, they tried, convicted, and sentenced the said GEORGE SASSOWER to be incarcerated.

20. On information and belief, as part of such "mock proceedings", ERNEST L. SIGNORELLI falsified and contrived certain essential jurisdictional facts.

21. On information and belief, as a result of such "mock proceedings", the said GEORGE SASSOWER was detained and arrested in Westchester County and abducted to Suffolk

County, wherein he refused to submit silently to the unconstitutional and illegal procedures and demands of said ERNEST L. SIGNORELLI.

22. On information and belief, and as a result of the refusal of GEORGE SASSOWER to submit in silence to the illegal and unconstitutional demands and procedures of said ERNEST L. SIGNORELLI, he was incarcerated in the Suffolk County Jail, from whence he was released pursuant to a Writ of Habeas Corpus.

23. On information and belief, such Writ was sustained by Order of Hon. GEORGE F.X. McINERNEY, a Justice of the Supreme Court of the State of New York, as clearly violative of the constitutional rights of said GEORGE SASSOWER.

24. On information and belief, as a result of some of the actions and activities of ERNEST L. SIGNORELLI, the said GEORGE SASSOWER commenced an action against some of these defendants and others who were acting in concert with them.

25. On information and belief, when said GEORGE SASSOWER would not relent and submit in silence to the improper penalties imposed upon him, the said ERNEST L. SIGNORELLI and defendants JOHN P. FINNERTY and ANTHONY MASTROIANNI, their servants, agents, and/or employees commenced to harass this plaintiff in an effort to cause her husband, GEORGE SASSOWER, to relent.

26. The only reason for the aforesaid defendants' and

ERNEST L. SIGNORELLI's actions and activities against this plaintiff was that she was the wife of said GEORGE SASSOWER, and their belief that she could control and influence his conduct or to retaliate against him.

27. Such activities included the making of annoying and embarrassing telephone calls, and personal inquiries at her home and office, serving her with Subpoenas and directing her attendance at distant points at dates when no trial was scheduled, to wit, January 24, 1978, April 10, 1979 and June 5, 1979, on the ostensible pretext that she had certain documents, and further making spurious public complaints against her affecting her adversely in her profession and personal life.

WHEREFORE, it is respectfully prayed that Judgment be entered in favor of the plaintiffs against the named defendants as compensatory damages in the sum of \$100,000 in the First Cause of Action; \$200,000 in the Second Cause of Action; \$1,000,000 in the Third Cause of Action; \$1,000,000 in the Fourth Cause of Action, and punitive damages in the sum of \$5,000,000 in all causes of action, together with costs and disbursements.

Yours, etc.



DORIS L. SASSOWER, Esq.
Member of the Bar

DORIS L. SASSOWER, Esq.
Attorney for Plaintiffs
200 Park Avenue
New York, N.Y. 10017
(212) 490-3866

STATE OF NEW YORK)
) ss. 1
COUNTY OF WESTCHESTER)

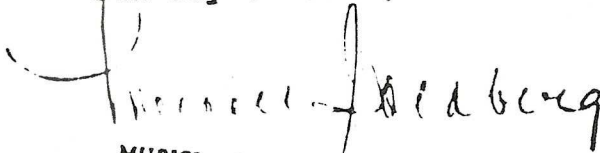
DORIS L. SASSOWER, first being duly sworn,
deposes, and says:

That she is one of the plaintiffs in the within
action; that she has read the foregoing Complaint and
knows the contents thereof; that the same is true to her
own knowledge, except as to the matters therein stated
upon information and belief, and that as to those matters
she believes it to be true.



DORIS L. SASSOWER

Sworn to before me this
5th day of June, 1979.



MURIEL GOLDBERG
Notary Public, State of New York
No. 60-4518474 Westchester County
Commission Expires March 30, 1980

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

CAREY A. SASSOWER, first being duly sworn, deposes
and says:

That she is one of the plaintiffs in the within
action; that she has read the foregoing Complaint
and knows the contents thereof; that the same is true to
her own knowledge, except as to the matters therein stated
upon information and belief, and that as to those matters
she believes it to be true.

Carey Sassower

Sworn to before me this
31st day of May, 1979

Muriel Goldberg

MURIEL GOLDBERG
Notary Public, State of New York
No. 60-4515474 Westchester County
Commission Expires March 30, 1981