

SUPREME COURT : NEW YORK COUNTY

HYMAN RAFFE, individually and on behalf of
PUCCINI CLOTHES, LTD., and GEORGE SASSOWER,

Plaintiff

against

LEE FELTMAN; FELTMAN, KARESH & MAJOR;
KREINDLER & RELKIN, P.C.; NACHAMIE, KIRSCHNER,
LEVINE, SPIZZ & GOLDBERG, P.C.; and ARUTT,
NACHAMIE, BENJAMIN, LIPKIN & KIRSCHNER, P.C.

Defendant

Index No.

Plaintiff designates

New York

County as the place of trial

The basis of the venue is

Defendants' Residences

Summons with Notice

Plaintiff resides at

Nassau and Kings Counties.

County of

To the above named Defendant

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded herein.

Dated, Feb. 13, 1984
Defendant's address:

Notice: The nature of this action is

The relief sought is money damages.

GEORGE SASSOWER, Esq.
Attorney(s) for Plaintiff
Office and Post Office Address
2125 Mill Avenue,
Brooklyn, New York, 11234
(718) 444-3403

Upon your failure to appear, judgment will be taken against you by default for the sum of \$ 1,000,000 with interest from Feb. 13, 1985 and the costs of this action.

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

-----x
HYMAN RAFFE, individually and on behalf
of PUCCINI CLOTHES, LTD., and GEORGE
SASSOWER,

Plaintiffs,

-against-

LEE FELTMAN; FELTMAN, KARESH & MAJOR;
KREINDLER & RELKIN, P.C.; NACHAMIE,
KIRSCHNER, LEVINE, SPIZZ & GOLDBERG, P.C.;
and ARUTT, NACHAMIE, BENJAMIN, LIPKIN &
KIRSCHNER, P.C.,

Defendants.
-----x

Plaintiffs, by their attorneys GEORGE
SASSOWER, Esq., complaining of the defendants
respectfully set forth and allege.

AS AND FOR A FIRST CAUSE OF ACTION ON BEHALF
OF HYMAN RAFFE, INDIVIDUALLY, AND ON BEHALF OF PUCCINI
CLOTHES, LTD.

1. At all of the times hereinafter mentioned
the defendant, Lee Feltman ["LF"], was and still is the
receiver for Puccini Clothes, Ltd. ["Puccini"], and an
attorney.

2. At all of the times hereinafter
mentioned, the defendant Feltman, Karesh & Major, Esqs.
["FK&M"], are attorneys, and acted for and on behalf of
LF, as attorneys.

3. At all of the times hereinafter mentioned, the defendants Kreindler & Relkin, P.C. ["K&R"]; Arutt, Nachamie, Benjamin, Lipkin & Kirschner, P.C. ["ANBL&K"]; and Nachamie, Kirschner, Levine, Spizz & Goldberg, P.C. ["NBLK&G"], were and still are professional corporations licensed to practice law in the State of New York. 2,

4. That at all of the times hereinafter mentioned, that although the interests of their trust and clients were different, if not opposed, the aforementioned defendants have at all times acted substantially and essentially in conspiratorial consort.

5a. FK&M, on behalf of LF, submitted to Mr. Justice Ira Gammerman a proposed Order for signature, which was contrary and adverse to the interests of their court appointed trust in each and every respect.

b. Such proposed Order was intended to and did "vacate and dismiss" a motion by plaintiff, Hyman Raffe, wherein he sought to vacate the April 6, 1983 order, where the defendant, LF, as receiver, caused the court to appoint investigatory accountants [Rashba & Pokart] to investigate its own client, Kreindler & Relkin, P.C.

Such Order of April 6, 1983, also caused the appointment of Rashba & Pokart to investigate the firm of Arutt, Nachamie, Benjamin, Lipkin & Kirschner, P.C., which had previously unlawfully taken \$10,000 from Puccini's court entrusted funds, had same entered on the books of Puccini as "legal", "laundered" \$6,200 of same and gave it to Rashba & Pokart in payment of an invoice to Kreindler & Relkin, P.C., the Arutt firm retaining the balance of \$3,800 for itself, until compelled to return such \$3,800 four years later, by the actions of plaintiffs, Hyman Raffe and George Sassower.

Such appointment was made on petition of LF, without overtly disclosing the disqualifying relationships in an attempt to conceal the massive dissipation of Puccini's court entrusted assets.

In fact, such petition and appointment did, very substantially cause damage to, inter alia, Puccini.

c. The aforementioned proposed Order also caused another motion of plaintiff, Hyman Raffe, to be "vacated and dismissed" and which motion sought an Order:

"compelling every person or firm (who has Puccini-related financial information ... to turn [same] over to this Court for inspection and safekeeping."

This motion was also for the benefit of Puccini and those having an interest in its affairs, plaintiffs, Hyman Raffe and George Sassower, and the Attorney General of the State of New York.

6. Such submission was made as part of an unlawful conspiratorial arrangement between all the defendants, including the contrived assertion contained therein, that "no opposition having been had thereto", in order to frustrate any appeal therefrom.

7a. As a matter of law, such subitted Order by LF and FK&M, which is totally adverse to the interests of their trust, is null, void, and of no effect.

b. Furthermore, the aforementioned Order is also contrary to the legitimate interests of the other attorneys who are defendants in this action, as distinguished from their own personal interests, and is null and void as against their clients as well.

AS AND FOR A SECOND CAUSE OF ACTION ON BEHALF
OF HYMAN RAFFE, INDIVIDUALLY AND ON BEHALF OF PUCCINI
CLOTHES, LTD.

8. Plaintiffs repeats, reiterates, and reaffirms each and every allegation of the complaint marked "1" through "7" inclusive, with the same force and effect as though more fully set forth herein, and further alleges.

9. That on information and belief the aforesaid Order was not submitted through regular channels, but in an ex parte manner to Hon. Ira Gammerman, with false and contrived affidavits of service, with a false and contrived Notice of Settlement, prepared after January 14, 1985 [the settlement date], with the intent to deceive and mislead the judicial system and those litigants or interested parties not part of the aforementioned conspiracy.

10. That on information and belief the aforesaid Order was not signed on January 23, 1985, as indicated in said Order, but afterward, was not routed through the regular channels, nor entered in the Office of Special Term Part I nor the County Clerk, and thus not official or effective, but instead merely placed in the County Clerk's file as appears on the annexed exhibit ("A"), purporting to be an official and effective document, which it was not, all intended to mislead and deceive those not part of the conspiracy, including the court.

AS AND FOR A THIRD CAUSE OF ACTION ON BEHALF
OF PLAINTIFF, GEORGE SASSOWER

11. Plaintiff repeats, reiterates, and reaffirms each and every allegation of the complaint marked "1" through "10" inclusive, with the same force and effect as though more fully set forth herein, and further alleges.

12. That on the 8th day of February, 1985, the defendants, acting in concert, presented to Special Term Part II an application returnable in Special Term Part I on February 14, 1985, an Order to Show Cause, which included and referred to Exhibit "A" as if it were an official and effective document, presented and executed in the normal and proper way, which it was not, with the intent of misleading and deceiving the court and prejudicing the criminal and civil litigation rights of plaintiff, George Sassower.

13. As a result of the aforementioned, the plaintiffs, in an individual and representative capacity have been damaged, generally and specially, and demand punitive damages in addition thereto.

WHEREFORE, plaintiffs demand damages against the defendants, jointly and severally, in the sum of \$1,000,000 together with interest, costs, and disbursements.

GEORGE SASSOWER, Esq.
Attorney for plaintiffs
2125 Mill Avenue,
Brooklyn, New York, 11234
(718) 444-3403

STATE OF NEW YORK)
CITY OF NEW YORK) ss.:
COUNTY OF KINGS)

HYMAN RAFFE, first being duly sworn,
deposes, and says:

I am the plaintiff herein and have read
the foregoing complaint and the same is true of my own
knowledge except as to matters stated therein to be on
information and belief, and as to those matters deponent
believes them to be true.


HYMAN RAFFE

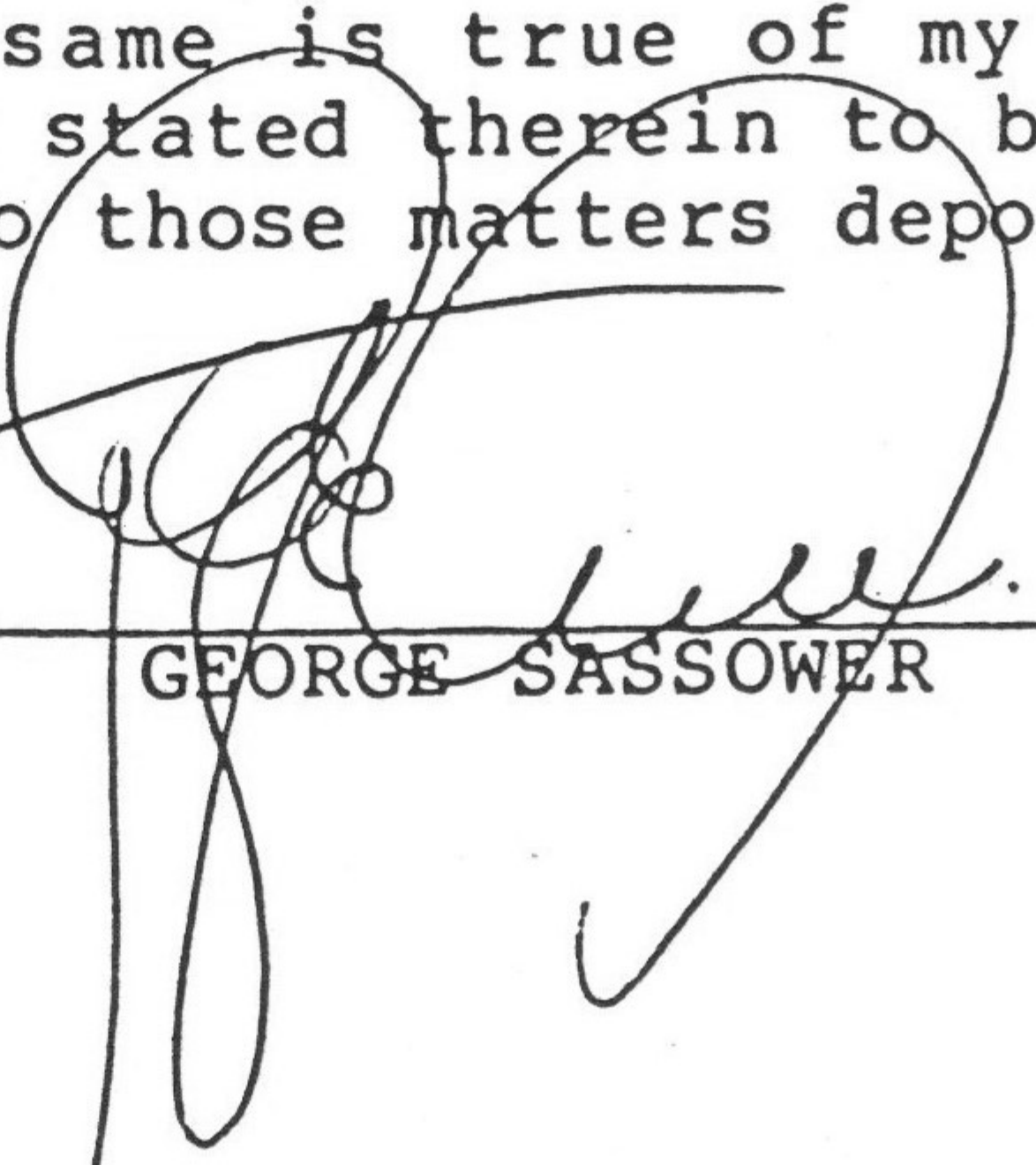
Sworn to before me this
13th day of February, 1985


KENNETH SILVERMAN
Notary Public, State of New York
No. 24-4608988
Qualified in Kings County
Commission Expires March 30, 1985

STATE OF NEW YORK)
CITY OF NEW YORK) ss.:
COUNTY OF KINGS)

GEORGE SASSOWER, first being duly sworn,
deposes, and says:

I am the plaintiff herein and have read
the foregoing complaint and the same is true of my own
knowledge except as to matters stated therein to be on
information and belief, and as to those matters deponent
believes them to be true.



GEORGE SASSOWER

Sworn to before me this
13th day of February, 1985



KENNETH SILVERMAN
Notary Public, State of New York
No. 24-4609988
Qualified in Kings County
Commission Expires March 30, 1985

At a Special Term, Part I of the Supreme Court of the State of New York, held in and for the County of New York, at the Courthouse, 60 Centre Street, New York, New York on the 23 day of January, 1985.

P R E S E N T :

Hon. Ira Gammerman,

Justice.

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In the Matter of the Application of :
Jerome H. Barr and Citibank, N.A., :
as Executors of the Will of Milton : Index No. 01816/80
Kaufman, Holders of One-Quarter of :
All Outstanding Shares of Puccini : ORDER
Clothes, Ltd. Entitled to Vote in :
an Election of Directors, :

Petitioners, :

For the Dissolution of Puccini :
Clothes, Ltd. :

-----x
Lee Feltman, Esq., in his capacity as the court-
appointed permanent receiver for Puccini Clothes, Ltd., having
moved for an order dismissing and vacating three separate
notices of motion of Hyman Raffe;

Upon the Order to Show Cause with Temporary Restraining
Order, signed on December 7, 1984, the affirmation of Donald F.
Schneider, dated December 6, 1984, and the exhibits annexed

Exhibit "A"

thereto in support of the motion; and no opposition having been had thereto; and due deliberation having been had thereon, and this Court having orally rendered an oral decision on December 19, 1984

NOW, upon motion of Feltman, Karesh & Major, attorneys for the Receiver, it is hereby

ORDERED, that the motion is granted in all respects; and it is further

ORDERED, that the notice of motion of Hyman Raffe, dated December 5, 1984, which seeks "a renewal order to remove the receiver"; the notice of motion of Hyman Raffe, dated December 5, 1984, which seeks "a renewal order compelling every person or firm who has Puccini-related financial information . . . to turn [same] over to this Court for inspection and safekeeping"; and the notice of motion of Hyman Raffe, dated November 29, 1984, which seeks an order "vacating the order of this Court dated April 6, 1983", are each vacated and dismissed.

E N T E R :




J.S.C.

AFFIDAVIT OF SERVICE

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


KATHY NIEWIAROWICZ, being duly sworn, deposes and says: deponent is not a party to this proceeding, is over 18 years of age and resides at Queens, New York.

On the 10th day of January, 1985, deponent served the within Notice of Settlement of Order upon Hyman Raffe, at 2125 Mill Avenue, Brooklyn, New York 11234 by personally delivering a copy thereat.



KATHY NIEWIAROWICZ

Sworn to before me this
11th day of January, 1985



NOTARY PUBLIC
LAURA BARBERA
Notary Public, State of New York
No. 00-4314223
Qualified in Westchester County
Commission Expires March 30, 1986

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

-----x

In the Matter of the Application of	:	
Jerome H. Barr and Citibank, N.A.,	:	Index No. 01816/80
as Executors of the Will of Milton	:	
Kaufman, Holders of One-Quarter of	:	NOTICE OF SETTLEMENT
All Outstanding Shares of Puccini	:	<u>OF ORDER</u>
Clothes, Ltd. Entitled to Vote in	:	
an Election of Directors,	:	
	:	
Petitioners,	:	
	:	
For the Dissolution of Puccini	:	
Clothes, Ltd.	:	

-----x

S I R S :

PLEASE TAKE NOTICE, that the annexed is a true and complete copy of an order that will be submitted to Judge Gammerman at 10:00 a.m. on January 14, 1985 for settlement and signature.

Dated: New York, New York
January 8, 1985

Yours, etc.,

FELTMAN, KARESH & MAJOR
Attorneys for Lee Feltman, as
permanent receiver for
Puccini Clothes, Ltd. and
for Puccini Clothes, Ltd.
Office and P.O. Address:
Park Avenue Plaza
55 East 52nd Street
New York, New York 10055
Tel.: (212) 371-8630

TO: MR. HYMAN RAFFE
c/o A.R. Fuels, Inc.
2125 Mill Avenue
Brooklyn, New York 11234

KREINDLER & RELKIN, P.C.
Attorneys for Jerome H.
Barr and Citibank, N.A.
Office and P.O. Address:
500 Fifth Avenue
New York, New York 10168

NACHAMIE, KIRSCHNER, LEVINE,
SPIZZ & GOLDBERG, P.C.
Attorneys for Eugene Dann
and Robert Sorrentino
Office and P.O. Address:
342 Madison Avenue
New York, New York 10173

use take notice that the within is a (certified) copy of a
entered in the office of the clerk of the within
court on
19

Yours, etc.,
ELTMAN, KARESH & MAJOR

Office and Post Office Address
PARK AVENUE PLAZA
55 EAST 52ND STREET
NEW YORK, N. Y. 10055

py(s) for

use take notice that an order

ch the within is a true copy will be presented
ment to the Hon.

the judge of the within named Court, at

M. 19

Yours, etc.,
ELTMAN, KARESH & MAJOR

Office and Post Office Address
PARK AVENUE PLAZA
55 EAST 52ND STREET
NEW YORK, N. Y. 10055

ey(s) for

Index No. 01816 Year 19 80
SUPREME COURT OF THE STATE OF
NEW YORK : COUNTY OF NEW YORK

In the Matter of the Appli-
cation of Jerome H. Barr and
Citibank, 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,

Petitioners,
For the Dissolution of Puccini
Clothes, Ltd.

NOTICE OF SETTLEMENT OF ORDER

FELTMAN, KARESH & MAJOR
Attorneys for Lee Feltman as Receiver
Office and Post Office Address
PARK AVENUE PLAZA
55 EAST 52ND STREET
NEW YORK, N. Y. 10055
(212) 371-8630

To
Attorney(s) for

Service of a copy of the within
Dated, is hereby admitted.

Attorney(s) for