

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X
GEORGE SASSOWER, individually and as
trustee of specific monies held for the
benefit of ELENA R. SASSOWER,
Plaintiff,

Docket No.
92-20,421
Summons and
Complaint

-against-

FELTMAN, KARESH, MAJOR & FARBMAN,
XAVIER C. RICCOBONO, DONALD DIAMOND,
FRANCIS T. MURPHY, JOSEPH W. BELLACOSA,
MATTHEW T. CROSSON, ALBERT M. ROSENBLATT,
JOSEPH B. GAGLIARDI, ROBERT ABRAMS
and CHARLES L. BRIEANT,

Defendants.

-----X
To the above named Defendants.

YOU ARE HEREBY SUMMONED to serve a notice of appearance and a verified answer on plaintiff within 20 days after the service of this summons and verified complaint, exclusive of the day of service, or within 30 days after the service is complete if this summons and verified complaint is not personally delivered to you within the State of New York; and in the case of your failure to appear and answer, judgment will be taken against you by default for the relief demanded herein.

Dated: November 12, 1992

GEORGE SASSOWER, Esq.
Plaintiff, pro se
16 Lake Street,
White Plains, N.Y. 10603
914-949-2169

Westchester County is designated as the place of trial.
Venue based on plaintiff's residence at 16 Lake Street, White Plains, N.Y. 10603

U.S. ATTORNEY
FOR THE S.D.N.Y.
Brusco CSO
NOV 25 1992
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JOSEPH B. GAGLIARDI, ROBERT ABRAMS
and CHARLES L. BRIEANT,
Defendants.

20421-92

-----x
Plaintiff, as and for his complaint, respectfully
sets forth and alleges:

AS AND FOR A FIRST CAUSE OF ACTION BY PLAINTIFF
AS TRUSTEE OF SPECIFIC MONIES HELD
FOR ELENA RUTH SASSOWER AGAINST FELTMAN, KARESH, MAJOR &
FARBMAN and DONALD DIAMOND

1. Plaintiff is a citizen of the United States and
State of New York, resides in White Plains, New York, 10603, and
brings this action in this Court of general jurisdiction.

2. At all of the times hereinafter mentioned
plaintiff held in his name a Certificate of Deposit in the amount
of \$2,742.42 issued by NATIONAL WESTMINSTER BANK ["NWB"] which
specifically stated, on its face that plaintiff held same as the
trustee of his daughter, ELENA RUTH SASSOWER ["ERS"].

3a. Prior to September 26, 1984 plaintiff, without any
due process, or legal reason, was barred from the Courtroom of
Referee DONALD DIAMOND ["Diamond"], who at all times was acting
under "color [pretense] of law", and except for one occasion
since that time, and then by specific direction and invitation,
plaintiff has never been in that Courtroom, or permitted inside,

either for civil or criminal proceedings (cf. Judiciary Law §4; Civil Rights Law §12).

b. On or about September 26, 1984, also without due process, ERS was barred from the Courtroom of Referee Diamond for the articulated reason that she was telling plaintiff the events transpiring therein. Since that time, on information and belief, she has never returned or been permitted therein.

4a. Thereafter, while plaintiff was residing at 51 Davis Avenue, White Plains, N.Y., he began to receive letters and visits from Deputy Sheriff WILLIAM BADDERS ["Badders"] of Westchester County, demanding payment, in order to satisfy a judgment in favor of defendant, FELTMAN, KARESH, MAJOR & FARBMAN ["FKM&F"], of \$5,000, purportedly recovered on June 10, 1985, with interest and costs.

b. Plaintiff advised Deputy Sheriff Badders, orally and in writing, that if he could produce a copy of such judgment, plaintiff would pay such monies, and also give him "a box of good cigars".

c. On information and belief, Deputy Sheriff Badders and/or Senior Westchester County Attorney BRIAN POWERS ["Powers"], as part of their official duties, and not motivated by plaintiff's promise of "a box of good cigars", made a number of requests of FKM&F for proof of the existence of such judgment, but same was never received and eventually it was admitted by FKM&F that such judgment did not exist.

5. During such period of time, DORIS L. SASSOWER

["DLS"] and others were served with restraining notices by FKM&F based upon such non-existing judgment.

6. After admitting that such judgment did not exist, FKM&F claimed that such \$5,000 was due and owing under an Order of Referee Diamond issued on June 10, 1985.

7a. Once again there came demands from Deputy Sheriff Badders and Senior Attorney Powers for such monies, and communications, back and forth, wherein plaintiff asserted he was physically barred from the Referee Diamond Courtroom, had not been in that Courtroom since about 1984, and any Order that Referee Diamond may have issued, was without due process, void and worthless.

b. Since Deputy Sheriff Badders and Senior Attorney Powers, under the circumstances, refused to honor the execution given by FKM&F, FKM&F enlisted the aid of the Sheriff of the City of New York and they seized the Certificate of Deposit of plaintiff, which he held in trust for ERS at NWB, and converted the proceeds to their own use.

8. In 1987, before Bankruptcy Judge HOWARD SCHWARTZBERG, FKM&F admitted that plaintiff was not advised beforehand of such Order, not afforded any opportunity to object to same, and that neither he or ERS were permitted to be in the Courtroom of Referee Diamond since 1984.

9a. The return of the aforementioned monies, with interest, is based on quasi-contract, and this cause of action comes within the protective umbrella of Article 1 §10(1) of the U.S. Constitution.

b. Demand is also made, by plaintiff as trustee, for the benefit of ERS, of \$25,000 in punitive damages, against FKM&F and Donald Diamond in his personal capacity.

AS AND FOR A SECOND CAUSE OF ACTION BY PLAINTIFF, INDIVIDUALLY,
AGAINST FELTMAN, KARESH, MAJOR & FARBMAN and
DONALD DIAMOND.

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

11a. That in addition to the aforementioned seizure, under false, fabricated and void documents, issued by Referee Diamond, FKM&F on its own behalf, and/or on behalf of LEE FELTMAN, Esq., other monies of plaintiff, which according to FKM&F records appears to be in the approximate sum of \$7,000.

b. The amount cannot be presently ascertained by plaintiff, since it appears that the Sheriff of the City of New York was compelled to commence a suit against FKM&F for the recovery of some of those monies, but it was settled and the Sheriff has failed and refused to give plaintiff the necessary information, even though it involves plaintiff's monies.

12a. That the return of the aforementioned monies, with interest, is based on quasi-contract, and this cause of action comes within the protective umbrella of Article 1 §10[1] of the U.S. Constitution.

b. Demand is also made by plaintiff for the sum of \$25,000 in punitive damages against FKM&F and Donald Diamond in his personal capacity.

AS AND FOR A THIRD CAUSE OF ACTION BY PLAINTIFF, INDIVIDUALLY,
AGAINST ALL DEFENDANTS.

13. Plaintiff repeats, reiterates, and realleges each and every allegation in the paragraphs of the complaint marked "1" through "12" inclusive, with the same force and effect as though more fully set forth herein at length and further alleges:

14. Plaintiff stated in some document, in obvious jest, that by reason of the aforementioned seizures, he was compelled to keep his monies in his "non-interest bearing mattress".

15a. This statement was met with an application to Referee Diamond for an Order directing the Sheriff of Westchester County "to break into [plaintiff's] apartment, and tear apart his non-interest bearing mattress", and seize his monies.

b. When Deputy Sheriff Badders and/or Senior Attorney Powers stated, on information and belief, that they would not obey any Order from Referee Diamond directing them to "tear apart [plaintiff's] non-interest mattress", the proposed Order was not signed.

16. In or about March of 1986, plaintiff received a proposed Order for signature of Referee Diamond, upon application by FKM&F, thereafter signed, reading in part, as follows:

"ORDERED, that the Sheriff of Westchester County is hereby authorized and directed, no later than April , 1986 to enter, search and seize any and all word processors, word processing equipment and related software, including without limitation an Exxon word processor, and all cash in the possession, custody or control of George Sassower ... and if entry cannot be obtained by peaceful means, the Sheriff shall enter the premises by any means necessary and may break and enter the premises; and it is further

ORDERED, that no later than April , 1986, the Sheriff of Westchester County shall file with Referee Donald Diamond an affidavit setting forth in detail and with particularity the property of George Sassower in his possession, and, in the event that the Sheriff has not seized the personality described in the preceding decretal paragraph, describing in detail the efforts made to do so ..."

17a. Plaintiff was advised that pressures were being placed upon Senior Attorney Powers and others in his office to give obedience to such Order.

b. In response to such pressures, Senior Attorney Powers requested a \$1,000,000 indemnity bond be given before he would approve the execution of such Order.

c(1) Plaintiff, upon learning that FKM&F, or that CITIBANK, N.A. ["Citibank"] was considering giving such indemnity assurance, was compelled to flee his premises in the middle of the night, with his Exxon Word Processor, and other needed material, and remain in hiding for more than two (2) weeks.

(2) Because of a lack of funds and because plaintiff believed himself most safe, he selected a "seedy motel", not in White Plains, where he was not known, and simply "holed" himself inside during such period, seldom venturing outside and then only under disguise.

18a. During such period of time, in addition to the aforementioned, FKM&F and Referee Diamond were harassing the Deputy Sheriff Badders, Senior Attorney Powers, DLS, and others, including compelling them to travel to New York County, face his inquisition as to why they were not obeying his directions, and making inquiries regarding plaintiff's personal affairs, all under "color of law".

b. Plaintiff became the victim of some of their understandable annoyances, and plaintiff was caused to needlessly expend hours and days, trying to explain how attorneys can issue executions on non-existing judgments, seize plaintiff's daughter's monies under sham orders, and had to have his daughters ferry food and supplies to him while he was in hiding.

19. By reason of the aforementioned, and for facts and reasons hereinafter set forth, plaintiff demands a substantial judgment against all the defendants, personally.

AS AND FOR A FOURTH CAUSE OF ACTION BY PLAINTIFF, INDIVIDUALLY,
AGAINST ALL DEFENDANTS.

20. Plaintiff repeats, reiterates, and realleges each and every allegation in the paragraphs of the complaint marked "1" through "19" inclusive, with the same force and effect as though more fully set forth herein at length and further alleges:

21a. From the time plaintiff was first physically excluded from the Courtroom of Referee Diamond, which at that point in time was a physical exclusion of plaintiff from the entire building at 60 Center Street, New York, NY, and continuously thereafter, he made vigorous complaints to all administrative authorities having jurisdiction over the matter, including FRANCIS T. MURPHY ["Murphy"], JOSEPH W. BELLACOSA ["Bellacosa"], ALBERT M. ROSENBLATT ["Rosenblatt"], MATTHEW T. CROSSON ["Crosson"], and Referee Diamond's attorney, ROBERT ABRAMS ["Abrams"], but they actively permitted said manifestly unlawful situation to exist and/or exist by sufferance.

b. Indeed, it was set forth as a cause of action by HYMAN RAFFE ["Raffe"], before the patently corrupted, U.S.

District Court Judge WILLIAM C. CONNER, in Raffe v. Doe (619 F.2d 891 [1985]), but never ruled upon, in an action which Judge Conner held was frivolous.

22. Only after plaintiff testified before the New York State Senate Judiciary Committee concerning the corruption in the "Murphy-Riccobono" judicial bailiwicks, in the administration of Chief Administrator Bellacosa (with Administrator Bellacosa present), and plaintiff was photographed by Newsday, and the photograph published, which revealed the non-public facilities of the Referee Diamond Courtroom, was the guarded obstruction requiring permission to enter the Courtroom removed.

23. By reason of the aforementioned, plaintiff demands judgment against all the defendants personally for compensatory and punitive damages.

AS AND FOR A FIFTH CAUSE OF ACTION BY PLAINTIFF, INDIVIDUALLY,
AGAINST ALL DEFENDANTS.

24. Plaintiff repeats, reiterates, and realleges each and every allegation in the paragraphs of the complaint marked "1" through "23" inclusive, with the same force and effect as though more fully set forth herein at length and further alleges:

25. There was no relief to be received by plaintiff in Supreme Court, Westchester County, after Riccobono communicated with Administrator Gagliardi, requesting that no relief be afforded plaintiff, which "fixing" instructions were then given to the various jurists in that Court by Administrator Gagliardi.

26. The die was cast, plaintiff was compelled to file a petition in bankruptcy for the purpose of vesting all his property in the U.S. District Court (28 U.S.C. §1334[d]), and

place his property beyond the reach of Referee Diamond and FKM&F, and the only question was the timing.

27. By reason of having compelled plaintiff to file a petition in bankruptcy, albeit substantial assets and minimal liabilities, substantial damages, compensatory and punitive are requested against all defendants, personally.

AS AND FOR A SIXTH CAUSE OF ACTION BY PLAINTIFF, INDIVIDUALLY,
AGAINST ALL DEFENDANTS.


28. Plaintiff repeats, reiterates, and realleges each and every allegation in the paragraphs of the complaint marked "1" through "27" inclusive, with the same force and effect as though more fully set forth herein at length and further alleges:

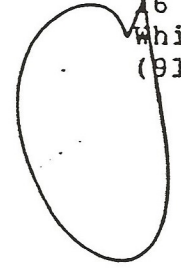
29. Plaintiff selected as his date for filing of his petition in bankruptcy, the eve of the "approval" by Referee Diamond of the 'phantom' "final accounting" of the court-appointed receiver for PUCCINI CLOTHES, LTD., for which he had not received the required legal notice, but learned of same through confidential sources, and consequently aborted such fraud.

30. However in Bankruptcy Court, plaintiff was met with a greater despot, who had less respect for the rule of law, even when of constitutional magnitude, in the form of Chief Judge CHARLES L. BRIEANT ["Brieant"], who has no original jurisdiction in that Court, but nevertheless, "fixed" and "corrupted", not only the bankruptcy judge, but also the trustee, and consequently the trustee made no effort to collect plaintiff's substantial assets, although his fees were correlated to same.

WHEREFORE, in addition to the demand made on behalf of ELENA RUTH SASSOWER, plaintiff demands judgment for the sum of five million dollars (\$5,000,000) against the defendants in their personal capacities, with no claim of any kind or nature being made upon the federal or state sovereign, or any governmental division thereof.

Dated: November 12, 1992


Yours, etc.


GEORGE SASSOWER
Plaintiff, pro se.
16 Lake Street,
White Plains, N.Y. 10603
(914) 949-2169