

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

GEORGE SASSOWER,

Plaintiff,

-against-

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ERNEST L. SIGNORELLI, ANTHONY MASTROIANNI,
VICENT G. BERGER, JR., JOHN P. FINNERTY,
ALLAN CROCE, ANTHONY GRZYMALSKI, CHARLES
BROWN, LEONARD J. PUGATCH, and THE COUNTY
OF SUFFOLK,

MISHLER, J.

Defendants.

Plaintiff complaining of the defendants respectfully
sets forth and alleges:

1. The jurisdiction of this Court is invoked pursuant
to the provisions of Title 28, United States Code, §§ 1331
and 1343, this being a suit in law and equity 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 and Acts of Congress providing for equal rights
and due process of citizens; Amendment XIV of the Constitution
of the United States, and pendent jurisdiction. The rights here
sought to be redressed are rights guaranteed by the due process

and equal protection clauses of the Fourteenth Amendment to the Constitution of the United States and Article 42 of the United States Code §1983 et seq., and the matter in controversy exceeds, inclusive of interest and costs, the sum of \$10,000, as hereinafter more fully appears.

AS AND FOR A FIRST CAUSE OF ACTION
AGAINST THE DEFENDANTS, ERNEST L.
SIGNORELLI, ANTHONY MASTROIANNI,
AND VINCENT G. BERGER, JR.

2. All of the times hereinafter mentioned, plaintiff was and still is a resident and citizen of the United States and within the jurisdiction of the United States.

3. The State of New York has enacted a statutory scheme of justice regarding the administration and adjudication of estates which is mainly found in the Surrogate's Court Procedure Act (hereinafter called "SCPA").

4. Suffolk County was and still is an independent subdivision of the State of New York.

5. There is only one Surrogate of Suffolk County, and he adjudicates all cases and controversies in that jurisdiction relating to estates, appoints or has the power to appoint all or substantially all of the employees of the Surrogate's Court: Suffolk County, including assistants, clerks, attendants, and court reporters, who serve at his pleasure.

6. The Surrogate of the County of Suffolk appoints the Public Administrator who in turn appoints his attorney.

7. The Surrogate appoints and removes guardians and other fiduciaries.

8. The Surrogate of Suffolk County passes on the disbursements of the Public Administrator, fixes the fees and passes on the disbursements of the attorney for the Public Administrator, guardians, and other fiduciaries.

9. The Office of the Public Administrator is located in the same building as the Surrogate's Court: Suffolk County, which is maintained by the County of Suffolk and/or the State of New York and they share common expenses.

10. The present Surrogate of Suffolk County is the defendant, ERNEST L. SIGNORELLI.

11. The present Public Administrator for Suffolk County is the defendant ANTHONY MASTROIANNI.

12. The present attorney for the Public Administrator is the defendant, VINCENT G. BERGER, JR.

13. On information and belief, a substantial portion of the time, energy, and activity of defendant, ERNEST L. SIGNORELLI if not the major portion, is making appointments and passing on applications for fees and disbursements for his appointees and others.

14. The importance of the position of Surrogate of Suffolk County is due to the extraordinary large patronage power and

authority controlled by the Surrogate.

15. That the nexus between the Surrogate, the Public Administrator, and the attorney for the Public Administrator, by law, custom, and usage is such that they are in fact the agents and servants of the Surrogate.

16. That on information and belief, the monies supporting such patronage as aforementioned comes from the State of New York, the County of Suffolk, the litigants, the attorneys for the litigants, and the estates being administered.

17. That on information and belief, the Surrogate of Suffolk County in adjudicating cases and controversies, involve in substantial numbers persons and attorneys who have been appointed directly or indirectly by the Surrogate of the County of Suffolk and it is he who fixes their fees and disbursements.

18. The cases and controversies adjudicated by the defendant, ERNEST L. SIGNORELLI, were cases and controversies adjudicated by the courts at and prior to the formation of the United States and State of New York.

19. That by force of state law, persons who reside in Suffolk County or have real property in that county are compelled to have their estates administered in Surrogate's Court : Suffolk County and no place else.

20. On information and belief, the appointees of defendant,

ERNEST L. SIGMORELLI, to insure future appointments, favorable allowances, and other reasons inconsistent with their office and obligations towards their clients and others, subvert such obligations in favor of the defendant, ERNEST L. SIGMORELLI.

21. Plaintiff is presently a non-judicially designated litigant in Surrogate's Court: Suffolk County involving the Public Administrator, an appointee of defendant, ERNEST L. SIGMORELLI, the attorney for the Public Administrator, appointed by the Public Administrator, and indirectly by the Surrogate, and a guardian appointed by the defendant, ERNEST L. SIGMORELLI.

22. Plaintiff is presently and personally subject to various criminal and civil proceedings in that Court.

23. On information and belief, in adjudications between the appointees of the defendant, ERNEST L. SIGMORELLI, and others, the defendant, ERNEST L. SIGMORELLI, is not, in law or fact, an impartial and disinterested judicial officer; has inconsistent obligations to his friends and political affiliates and that of his judicial functions; does not hold a detached and neutral position in his adjudications; is partial; profits indirectly from his appointments, adjudications, fee allowances, and expense allowances; presents an intolerable high and unconstitutional invitation for the defendant, ERNEST L. SIGMORELLI, to prefer his personal, social, and political obligations to that owed to his judicial obligation for a fair

trial and adjudications as guaranteed by and under the Constitution and Laws of the United States.

24. That because plaintiff was not a judicially designated litigant, has by voice and actions protested the illegal procedures of these defendants, has sought redress in other courts of the State of New York and United States of America, and otherwise lawfully exercised his rights and privileges, the defendant, ERNEST L. SIGNORELLI, has made adverse adjudication against the plaintiff and used the legal procedures to harass him and continues to do so.

25. That furthermore the defendants to further harass and denigrate plaintiff have instituted several criminal proceedings against the plaintiff, all of which have been successfully defended by plaintiff at great cost of time and expense. Nevertheless these defendants are continually reinstituting same despite their lack of success.

26. Furthermore the defendant, ERNEST L. SIGNORELLI, has set January 25, 1978 as the date for the commencement of a trial involving plaintiff and plaintiff expects adverse adjudications and rulings because of the aforesaid.

27. That further by reason of the job and economic power that defendant, ERNEST L. SIGNORELLI, has over the employees of Surrogate's Court: Suffolk County and the nexus between the defendant, ERNEST L. SIGNORELLI, his judicial appointees, the employees of Surrogate's Court: Suffolk County,

directly or indirectly, that Court is not fairly, impartially, or constitutionally administered to plaintiff's prejudice.

28. That by reason of the aforementioned these defendants under color of statute, regulation, custom, and usage has and is depriving plaintiff and others similarly situated of their rights, privileges, and immunities secured by the Constitution and Laws of the United States.

29. That for the reasons heretofore and hereafter mentioned there exists many cases and controversies between the parties herein.

AS AND FOR A SECOND CAUSE OF ACTION
AGAINST THE DEFENDANTS ERNEST L.
SIGNORELLI, JOHN P. FINNERTY, AND
THE COUNTY OF SUFFOLK.

30. Plaintiff repeats, reiterates, and realleges each and every allegation heretofore made in every paragraph of the complaint as if more fully set forth at length and further alleges:

31. Defendant, JOHN P. FINNERTY, was and still is the Sheriff of Suffolk County.

32. That on June 22, 1977, the defendant ERNEST L. SIGNORELLI caused to be issued and entered an Order of Criminal Contempt directing that plaintiff be incarcerated in the Suffolk County Jail for a period of thirty (30) days.

33. In addition to other infirmities, the aforesaid Order of Contempt and the sentence thereon were both made after a "mock trial" in the absence of plaintiff, without due and/or proper notice, for acts which did not all occur in the Courtroom or in the presence of the defendant, ERNEST L. SIGNORELLI, without allocution, and as a result thereof such adjudication has been declared null and void.

34. That such adjudication and sentence were entered against plaintiff by defendant, ERNEST L. SIGNORELLI, notwithstanding his knowledge that same was null and void, resulting in plaintiff's incarceration until released through a Writ of Habeas Corpus.

35. Except for the arbitrary and unexplained omission relating to Surrogate's Court (and several other courts), the State of New York has provided in every other court for a procedure whereby a defendant may apply for bail pending an appeal (Criminal Procedure Law § 460.50).

36. That by reason of the aforementioned arbitrary omission for a bail procedure pending an appeal from Surrogate's Court, persons similarly situated in other courts have bail rights which are unavailable to plaintiff.

37. That before the Order adjudicating the aforesaid Contempt Order null and void was entered and while the Contempt Order was still in full force and effect, the defendants, ERNEST L. SIGNORELLI, VINCENT G. BERGER, and ANTHONY MASTROIANNI, direct or indirectly caused another Contempt Proceeding to be instituted against plaintiff before another judge against plaintiff with knowledge that same constituted double jeopardy and was in violation of the Constitution of the United States.

38. That after the Order adjudicating the fact that the Contempt Order of the defendant, ERNEST L. SIGNORELLI, was null and void was entered, the said defendant, ERNEST L. SIGNORELLI caused a Notice of Appeal to be filed.

39. That as a result of such Notice of Appeal the Contempt Order against plaintiff is still in full force and effect because of the stay provided in CPLR § 5519(a)(1).

40. Despite the fact that such Contempt Order is in full force and effect and any new proceeding based on the same facts would be double jeopardy, the defendants have attempted to institute such new proceedings, knowing same are unconstitutional.

41. That because bail procedures are unavailable to plaintiff and because of the limited term that defendant, ERNEST L. SIGNORELLI may impose upon plaintiff (thirty days), it is the ulterior intention of the defendant, ERNEST L. SIGNORELLI to incarcerate plaintiff for the maximum term, which term will have expired before appellate review can be

had.

42. That because of this fact, any incarceration of plaintiff will escape review or even if same is reviewed, plaintiff will have served his entire term in prison prior to appellate adjudication and any reversal will be meaningless to the plaintiff.

43. That defendant, ERNEST L. SIGNORELLI, is proceeding in bad faith, contrary to the Constitution of the United States in violation of the rights and privileges of plaintiff herein.

AS AND FOR A THIRD CAUSE OF
ACTION AGAINST THE DEFENDANTS
COUNTY OF SUFFOLK AND CHARLES
BROWN.

44. Plaintiff repeats, reiterates, and realleges each and every allegation heretofore made in every paragraph of the complaint as if more fully set forth at length and further alleges:

45. That on information and belief the defendant, CHARLES BROWN is a former employee of the County of Suffolk.

46. That the defendant, COUNTY OF SUFFOLK, has and exercises various police powers.

47. That on information and belief the defendant, County of Suffolk permits certain former employees to carry and exhibit certain badges, shields, and other documents which superficially resemble those carried by police officers

and having police powers.

48. That on information and belief, the defendant, CHARLES BROWN, is a civilian without police authority or power, but carries such badge, shield, and documentation as if he is such police officer.

49. That the said defendant, CHARLES BROWN, is on information and belief an employee or agent of defendants, ANTHONY MASTROIANNI and VINCENT G. BERGER, JR., and indirectly of ERNEST L. SIGNORELLI, and with their knowledge and consent the said CHARLES BROWN has been used (with his spurious badge or shield) to harass and embarrass plaintiff, as more fully set forth hereinafter.

AS AND FOR A FOURTH CAUSE
OF ACTION AGAINST THE
DEFENDANT, COUNTY OF SUFFOLK.

50. Plaintiff repeats, reiterates, and realleges each and every allegation heretofore made in every paragraph of the complaint as if more fully set forth at length herein and further alleges:

51. That with respect to the Writ of Habeas Corpus secured on behalf of plaintiff, the plaintiff had to deposit a cash bail of \$300 which as yet has not been returned.

52. That with respect to the return of said \$300 the defendant has an onerous procedure, deducts a service charge, and does not pay any interest on said deposit.

53. That on information and belief such bail funds are deposited by the County of Suffolk and it does or should receive interest on same.

54. That the refusal or failure to pay interest on said monies to plaintiff and others similarly situated constitutes a deprivation of property without due process of law and violates the Constitution of the United States.

55. That furthermore, the onerous procedure employed is such that many persons forfeit their bail money rather than go through the time and expense to justly recover same.

56. That in effect, monies that are posted for bail, are non-returnable payments, partially or completely.

AS AND FOR A FIFTH CAUSE OF
ACTION AGAINST THE DEFENDANTS,
ERNEST L. SIGNORELLI, JOHN P.
FINNERTY, AND THE COUNTY OF
SUFFOLK.

57. Plaintiff repeats, reiterates, and realleges each and every allegation heretofore made in every paragraph of the complaint as if more fully set forth at length herein and further alleges:

58. That by law, custom or usage in the State of New York and County of Suffolk, the Sheriff serves judicial process on behalf of litigants and their attorneys.

59. That for the purposes of trial alternate means of service through the use of private persons is not feasible

if assurance is desired that service will not be disputed or inability to serve is to be asserted.

60. That on information and belief, through the influence of the defendant, ERNEST L. SIGNORELLI, the Office of the Sheriff refuses to serve or properly serve subpoenas on behalf of the plaintiff, as more fully set forth hereinafter, thereby obstructing plaintiff's access to the courts where service must be made in Suffolk County.

61. Furthermore, because of the bias shown by the defendant, ERNEST L. SIGNORELLI, and his conduct, as more fully set forth hereinafter, the plaintiff cannot receive a constitutionally proper trial in any Court presided over, controlled or influenced by the defendant, ERNEST L. SIGNORELLI.

AS AND FOR A SIXTH CAUSE OF ACTION
AGAINST THE DEFENDANTS, ERNEST L.
SIGNORELLI, VINCENT G. BERGER, JR.,
AND ANTHONY MASTROIANNI.

62. Plaintiff repeats, reiterates, and realleges each and every allegation heretofore made in every paragraph of the complaint as if more fully set forth at length herein and further alleges:

63. That heretofore the plaintiff herein has proceeded against these defendants in the courts of the United States, and continues to do so.

64. That in retaliation for proceeding in the courts of the United States and in order to obstruct and hinder such

further proceedings these defendants have been using the funds and credits of the Estate of EUGENE PAUL KELLY and, Surrogate's Court: Suffolk County for their private purposes in order to annoy, harass, embarrass, and investigate plaintiff and for their private purposes.

65. That further in retaliation for proceeding in the courts of the United States and in order to obstruct and hinder further proceedings in the courts of the United States, these defendants have been misusing the authority of the Surrogate's Court: Suffolk County for their personal purposes.

AS AND FOR A SEVENTH CAUSE OF ACTION
AGAINST ALL THE DEFENDANTS HEREIN

66. Plaintiff repeats, reiterates, and realleges each and every allegation heretofore made in every paragraph of the complaint as if more fully set forth at length herein and further alleges:

67. Prior to and until March 17, 1977, plaintiff was recognized as to sole executor in the estate of EUGENE PAUL KELLY having been so designated in the Last Will and Testament of the deceased.

68. Prior to and until March 17, 1977, plaintiff as such executor had the express authorization of all attorneys representing all the parties in the aforementioned estate to enter into a contract of sale with respect to a certain property owned by the estate and assume liabilities as a result thereof.

69. Prior to and until March 17, 1977, plaintiff was recognized as such executor by the defendant, ERNEST L. SIGNORELLI, the officials and employees of Surrogate's Court, Suffolk County and they knew, authorized and consented to such contract of sale by plaintiff on behalf of the aforementioned estate.

70. Prior to and until March 17, 1977, there were payments made under a mortgage obligation of the deceased, taxes and other charges that had to be paid which were paid by plaintiff with the knowledge and consent of defendant, ERNEST L. SIGNORELLI, the attorneys and parties involved in the aforementioned estate.

71. Prior to and until March 17, 1977, plaintiff had been authorized and directed by the defendant, ERNEST L. SIGNORELLI, some of the attorneys representing parties interested in the aforementioned estate to perform various other acts as executor of such estate.

72. That as late as March 14th, 1977, Certified Copies of Letters Testamentary were issued to plaintiff as executor in the aforementioned estate by the Surrogate's Court: Suffolk County.

73. That in March of 1977, notwithstanding all of the aforementioned in this cause of action, the defendant, ERNEST L. SIGNORELLI, state that plaintiff had been removed as executor in March of 1976 (approximately one year earlier).

74. The defendant, ERNEST L. SIGNORELLI knew that he had no jurisdiction to remove plaintiff as executor in March of 1976 and this orchestrated proceeding in March of 1977 was based in part on false and tampered documents in Surrogate's Court.

75. That because plaintiff would not silently comply and cooperate in this illegal and irregular procedure, the defendants, SIGNORELLI, BERGER, and MASTROIANNI (and thereafter others), acting jointly and in concert, conspired to hold a "mock trial" in plaintiff's absence, try plaintiff for criminal contempt, illegally arrest him and do such other necessary acts as might be warranted to cause plaintiff to silently submit to their wishes knowing that jurisdiction did not exist over plaintiff for such purposes.

76. On June 22, 1977, the defendants, SIGNORELLI, BERGER, and MASTROIANNI, without proper notice to plaintiff held this "mock trial" in his absence, took testimony, and the defendant, SIGNORELLI, found plaintiff guilty of criminal contempt in accordance with the aforementioned preconceived plan, knowing that they did not have jurisdiction over the plaintiff under the circumstances.

77. Immediately thereafter and on June 22, 1977, still in the absence of plaintiff these defendants, in accordance with their preconceived plan, dispensed with plaintiff's right of allocution and sentenced him to be incarcerated for 30 days in the Suffolk County Jail, with the knowledge that no jurisdiction existed to impose sentence upon plaintiff without such allocution or proper waiver of same.

78. Thereupon on June 22, 1977, the defendants, SIGNORELLI, BERGER, and MASTROIANNI, drew up a Contempt Order asserting false and contrived facts on the face thereof.

79. On information and belief the defendants, SIGNORELLI, BERGER, and MASTROIANNI together with the defendants, FINNERTY, CROCE, and GRZYMALSKI, agreed that defendants, CROCE and GRZYMALSKI would journey to plaintiff's residence in the early hours of June 23, 1977, and without prior notice to him would cause his arrest, bring him to the defendant, SIGNORELLI and not to the Suffolk County Jail as provided in the Contempt Order. All these defendants mentioned in this paragraph knowing that jurisdiction did not exist for such arrest and removal of plaintiff to defendant, SIGNORELLI, instead of the Suffolk County Jail was contrary to the Contempt Order.

80. That on information and belief, it was further agreed, expressly or impliedly, by defendants, SIGNORELLI, BERGER, MASTROIANNI, FINNERTY, CROCE, and GRZYMALSKI, that they would not permit plaintiff access to any other court or judge, directly or indirectly, knowing that such course of conduct was illegal and unconstitutional.

81. That in the morning of June 23, 1977, the defendants, CROCE & GRZYMALSKI, despite repeated requests by plaintiff, refused to communicate with their superiors while at the place of the arrest for instructions as to whether they should permit plaintiff access to any judges or courts other than the defendant, SIGNORELLI, or the Surrogate's Court: Suffolk County.

82. That in the morning of June 23, 1977, the defendants, CROCE & GRZYMALSKI, despite requests by plaintiff refused to go to any impartial court or judge, State or Federal for instructions under the circumstances.

83. That in the morning of June 23, 1977, the defendants, CROCE & GRZYMALSKI, while at plaintiff's home and while he was under arrest refused to permit plaintiff to communicate with an attorney or advise him of his constitutional rights.

84. That during plaintiff's forced journey from Westchester County to Suffolk County, the defendants, CROCE and GRZYMALSKI, repeatedly refused plaintiff's requests for

access to various courts or judges for the purpose of securing a Writ of Habeas Corpus and further refused plaintiff's demands that they seek advice from their superiors as to the legality of their conduct until these defendants were in or near Suffolk County.

85. When plaintiff and defendants, CROCE and GRZYMALSKI, were in or near Suffolk County, these defendants did request instructions with respect to plaintiff's requests that he be permitted access to a court or judge to present his Writ of Habeas Corpus and they were advised that on instructions from the defendant, SIGNORELLI, that they should not permit plaintiff such access, and the defendants, CROCE and GRZYMALSKI knew or should have known that such advice was illegal.

86. Thereupon plaintiff demanded that he be taken to the Suffolk County Jail in accordance with the Order of Contempt but the defendants, CROCE and GRZYMALSKI, wilfully disobeyed such Order of Contempt and instead took plaintiff to the building housing the Surrogate's Court: Suffolk County, the office of defendant, ANTHONY MASTROIANNI, and various other governmental departments.

87. That for approximately two (2) hours while plaintiff was kept under arrest in the aforementioned building, and not in any courtroom, the defendants, CROCE and GRZYMALSKI, refused plaintiff's repeated requests that he be permitted to present his Writ of Habeas Corpus and make telephone calls to an attorney.

from a pay telephone booth only a few feet away at plaintiff's costs and expense, but all such requests were refused.

88. That during such period of approximately two (2) hours, three (3) times the defendant, CROCE, did honor plaintiff's requests that he go and speak to the defendant, ERNEST L. SIGNORELLI, and each time plaintiff was informed that such requests were denied by the defendant, ERNEST L. SIGNORELLI.

89. That immediately after the last request made of defendant, ERNEST L. SIGNORELLI, came out of his office, looked at the plaintiff with a big grin of glee on his face.

90. That during such two (2) hour period, at no time was Surrogate's Court: Suffolk County in session, and the status of defendant, ERNEST L. SIGNORELLI, was at best, that of a jailor.

91. That at about 12:30 p.m. , the defendant, VICTOR G. BERGER, JR., emerged from the office of defendant, ERNEST L. SIGNORELLI, and while in the custody of defendants, CROCE and GRZYMALSKI, they permitted defendant BERGER to wilfully assault plaintiff, and in fact one of them put a restraining hand on the plaintiff.

92. That shortly thereafter on June 23, 1977, the defendant, ERNEST L. SIGNORELLI convened the Surrogate's Court during which time he knowingly and wilfully attempted to intimidate plaintiff, knowingly and wilfully violated plaintiff

constitutional and statutory rights, including the right to have counsel, the right not to be questioned on incriminating subjects, access to an appropriate court or judge for habeas corpus relief, and other similar rights.

93. After the court session was recessed with instructions from defendant, ERNEST L. SIGNORELLI, to remove plaintiff to Suffolk County Jail, plaintiff was permitted to make only one (1) telephone call, which was fruitless because of the absence of the attorney-recipient. When plaintiff wanted to make further telephone calls in view of the aforementioned, at his own cost and expense, the defendants, SIGNORELLI, BERGER, CROCE and GRZYMALSKI, objected and refused, particularly when plaintiff expressed a desire to telephone the Appellate Division of the Supreme Court of the Second Judicial Department.

94. That prior to June 22, 1977, there was intense feeling and bias against plaintiff by the defendant, ERNEST L. SIGNORELLI in fact there was litigation between the plaintiff and the defendant, ERNEST L. SIGNORELLI pending in Supreme Court: Suffolk County at the time.

95. That despite the aforementioned litigation, the defendant, ERNEST L. SIGNORELLI, refused to recuse himself despite plaintiff's request.

96. By State law, custom, and usage, complaints made to the Grievance Committee of the Bar Association are confidential prior to the imposition of discipline in recognition of the fact that such complaints may not result in censure yet unjustifiably damage the reputation of the attorney involved and hinder his earning ability in his profession. Despite the knowledge of defendant, SIGMORELLI and defendant, BERGER, of such fact and practice, the defendant, BERGER, made complaint to the Bar Association against plaintiff (which was his right) mailing sufficient copies to various other persons so as to assure that same would receive extended publicity (which was not their right) with the intention of denigrating plaintiff's reputation and earning ability, which it did.

97. Similarly, the defendant, BERGER, acting in concert with the defendants, SIGMORELLI and MASTROIANNI, also made complaints to the District Attorneys of Westchester County and Suffolk County in such way as to give such complaints wide publicity, also with the intention of denigrating plaintiff reputation and earning ability, which it did.

98. Thereafter when one of such complaints was rejected by the District Attorney of Westchester County as a "fishing expedition" and when the District Attorney of

Suffolk County found no evidence of wrongdoing these results were suppressed by defendants.

99. That the defendants further caused false and misleading facts to be circulated to the public press in order to damage plaintiff personally and in his profession, and to prejudice plaintiff's rights in the criminal and habeas corpus proceeding. That during such period of time the defendants, SIGNORELLI, BERGER, and MASTROIANNI, assumed the role of prosecutors.

a. Prejudicial, irrelevant, and/or false statements were made to representatives of the public press shortly prior to June 27, 1977, by defendants, SIGNORELLI, BERGER, and MASTROIANNI, or on their behalf and with their consent.

b. On June 27, 1977, by defendant BERGER, the secretary of defendant, SIGNORELLI, and NOEL ADLER, an employee of Surrogate's Court: Suffolk County in the Supreme Court: Suffolk County, and at a time when the secretary of defendant, SIGNORELLI and NOEL ADLER were on the public payroll and getting paid for work in the Surrogate's Court not the Supreme Court.

c. On June 27, 1977, by defendant, BERGER, who was not a party or recognized attorney in the proceedings in Supreme Court and who voluntarily and gratuitously making prejudicial and irrelevant statements in open court with the

knowledge that a representative of the press was present and for his benefit.

d. By false statements made to defendant LEONARD J. PUGATCH by defendant SIGMORELLI and/or his secretary with the knowledge that such statements would be placed in an affidavit of LEONARD J. PUGATCH, filed in Court and available to the press thereby.

e. By gratuitous irrelevant and prejudicial statements made by defendant BERGER, before Hon. GEORGE F.X. McINERNEY, when the said defendant BERGER was not a party to the proceeding not an attorney for any party in the proceeding and when he was told, advised and knew that he had no standing for the purpose of prejudicing the proceeding against the plaintiff and having it carried in the public press.

f. By inviting interviews with the public press and conveying false and prejudicial information at times and places unknown to plaintiff at the present time.

100. In attempting to prejudice the legal rights of plaintiff the defendants, SIGMORELLI and GRZYMAŁSKI, caused the subpoena that was to be served by the defendant GRZYMAŁSKI to be served improperly on defendant SIGMORELLI, so that the defendant SIGMORELLI could avoid testifying as a witness as plaintiff desired.

101. In attempting to prejudice the rights of plaintiff, the defendants, SIGNORELLI, BERGER, and MASTROIANNI, they impeded and obstructed plaintiff's right to obtain court minutes from a court stenographer and which in fact did prejudice the rights of plaintiff since he did not obtain same until many months later and only after the intervention of the Judicial Conference.

102. In prejudicing the rights of the plaintiff the defendants, SIGNORELLI, BERGER, and MASTROIANNI caused the defendant, LEONARD J. PUGATCH, to serve an Order with Notice of Settlement with a false affidavit of service or in such manner so that plaintiff would not receive same until after the settlement time and date.

103. With knowledge that the Contempt Order was still in full force and effect, that the Order annulling such contempt had not been entered, the defendants, SIGNORELLI, BERGER, MASTROIANNI, and PUGATCH, in concert with Hon. OSCAR MUROV, reinstated the Criminal Contempt Proceedings against plaintiff knowing that same violated plaintiff's right against double jeopardy

104. With knowledge that the reinstated Order to Show Cause to hold plaintiff in criminal contempt was jurisdictionally defective in form and timeliness, the defendants, SIGNORELLI, BERGER, MASTROIANNI, and PUGATCH, in concert with Hon. OSCAR

MUROV, made the judicial tribunal of Hon. OSCAR MUROV a forum to denigrate plaintiff although they knew that they had no jurisdiction over plaintiff and same was done to further harass plaintiff and have him disparaged in the public media.

105. Although Hon. GEORGE F.X. McINERNEY, had been most explicit in his opinion that in the case at bar testimony in criminal contempt proceedings could not be taken in the absence of the plaintiff accused, and knowing that there was no jurisdiction over plaintiff thereby, nevertheless, the defendants, SIGNORELLI, BERGER, and MASTROIANNI, caused testimony to be taken using the judicial forum as a place to denigrate plaintiff.

106. Continuing this reign of terror and harassment by defendants, SIGNORELLI, BERGER, MASTROIANNI, and PUGATCH, and knowing that the Order annulling the Contempt Order had been stayed by virtue of the Notice of Appeal served and filed on behalf of defendant, SIGNORELLI, and despite the fact that these defendants knew that any newly reinstated criminal contempt proceedings were constitutionally improper as constituting double jeopardy, nevertheless these defendants reinstated many such criminal contempt proceedings in order to harass the plaintiff.

107. The defendants, SIGNORELLI, BERGER, MASTROIANNI, and PUGATCH, knowing that the Contempt Order of June 22, 1977 contained false and contrived statements which if truthfully disclosed would have caused the Writ of Habeas Corpus to be immediately and summarily sustained, suppressed such information in order to harass plaintiff in making numerous distant and arduous trips to court in order to prove the falsity of such statements.

108. The defendants, SIGNORELLI, BERGER, MASTROIANNI, and PUGATCH, knowing that they did not have a single respectable case or authority to support such Contempt Order, nevertheless resisted plaintiff's Writ of Habeas Corpus as a means of aggravated harassment.

109. Still having failed to produce a single responsible case or authority to support such Contempt Order, these defendants intend and are using public funds to prosecute a meritless case only to harass plaintiff and cause him to expend his private funds.

110. Obstructing plaintiff's right to the Supreme Court, the defendants, SIGNORELLI, BERGER, MASTROIANNI, and FINNERTY, conspired that FINNERTY should accept plaintiff's legal papers and fees for serving same but not serve them on the defendant BERGER and Hon. OSCAR MUROV until the return date had passed.

111. Although plaintiff and another advised defendant,

CHARLES BROWN, who masquerades as a police official that if papers were mailed to plaintiff he would mail a Notice of Appearance (which would be just as effective as personal service), the defendant, CHARLES BROWN, after consulting with the defendants, SIGNORELLI, BERGER, and MASTROIANNI, conspired to harass, embarrass, and interfere with plaintiff's business, by loitering and annoying those with whom plaintiff has business relations at their place of business with the ostensible purpose of serving meritless legal papers.

112. Defendants, SIGNORELLI, BERGER, and MASTROIANNI, caused a representative of theirs to loiter around plaintiff's residence for many hours, make embarrassing inquiries of neighbors, under the pretense that he desired to serve legal papers, which these defendants knew were meritless and void and which were so declared void. The identity of the person is unknown to plaintiff but the date was August 10th, 1977.

113. The defendants, SIGNORELLI, BERGER, and MASTROIANNI, in order to prejudice plaintiff's rights have caused and encouraged the defendant, LEONARD J. PUGATCH, to have executed false affidavits of service so as to curtail plaintiff's opportunity of response.

114. That the defendants have done many other acts and continue to do so violative of plaintiff's constitutional and civil rights, in retaliation for plaintiff's availing himself of his legal rights in the Courts of the United States and in

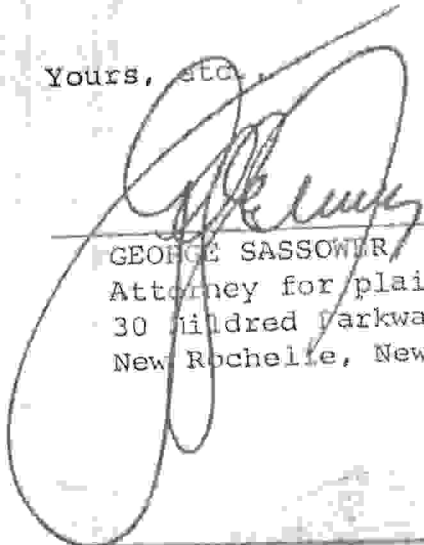
trying to impair and impede redress in such courts.

WHEREFORE, with respect to the first cause of action enjoining the defendant, ERNEST L. SIGNORELLI from hiring any further employees for Surrogate's Court, Suffolk County, directly or indirectly, except for personal assistants, enjoining the discharge of any employee of that Court except personal assistants, and except for cause; mandating that impartial reporters be assigned to such Court; enjoining the defendant, ERNEST L. SIGNORELLI from awarding any fees or any disbursements, except such fees as may be provided by statute, to his appointees or otherwise; enjoining any appointments, directly or indirectly; restraining defendants, ANTHONY MASTROIANNI and VINCENT G. BERGLER, JR., from acting as Public Administrator and Attorney for the Public Administrator respectively; enjoining them from receiving any fees or disbursements, directly or indirectly, from Surrogate's Court, Suffolk County, and from the Estate of EUGENE PAUL KELLY, in particular; compelling them to account for any and all fees and disbursements received. With respect to the second cause of action, staying and restraining the defendants, ERNEST L. SIGNORELLI, JOHN P. PINNERTY, and COUNTY OF SUFFOLK from incarcerating plaintiff until determination of this cause of action or Order of this Court. With respect to the third cause of action restraining the defendants, CHARLES


BROWN from using any shield, badge, or identification which resembles that used by a police or peace officer and compelling the defendant, COUNTY OF SUFFOLK, to prohibit such use thereof. With respect to the fourth cause of action directing that defendant, COUNTY OF SUFFOLK include interest on any bail money returned, dispense with onerous conditions with respect to the return of such monies as may be appropriate to the consideration of the amount involved. With respect to the fifth cause of action enjoining the defendants therein from interfering with plaintiff's right to have legal papers served by the Sheriff timely and properly, directing JOHN P. FINNERTY and THE COUNTY OF SUFFOLK to properly and timely serve legal papers on behalf of plaintiff in the same manner as everyone else, and directing JOHN P. FINNERTY and THE COUNTY OF SUFFOLK to account and return such monies as were paid by plaintiff for service of papers which were not served or properly served; enjoining any and all trials or proceedings by defendant, ERNEST L. SIGNORELLI, involving the plaintiff. With respect to the sixth cause of action enjoining the defendants, ERNEST L. SIGNORELLI, VINCENT G. BERGER, JR. and ANTHONY MASTROIANNI from using any funds except their own personal funds in any proceedings involving plaintiff and without any color of authority except that which may be given by an impartial court or judge. With respect to the seventh

cause of action awarding judgment in favor of plaintiff
against the defendants for \$10,000,000 together with the
costs and disbursements of this action, together with any
other, further, and/or different relief as to this Court may
seem just and proper in the premises.

Yours, etc.



GEORGE SASSOWER, Esq.
Attorney for plaintiff-pro se.
30 Mildred Parkway
New Rochelle, New York, 10804

A TRUE COPY
ATTEST
DATED 8-5-1981
RICHARD H. WEARE
BY  CLERK
DEPUTY CLERK