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NOTICE OF SETTLEMENT-APRIL 29, 1980

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER
-----x

GEORGE SASSOWER,

Plaintiff,

- against -

Index No.
21226-1979

APPELLATE DIVISION OF THE SUPREME COURT,
SECOND JUDICIAL DEPARTMENT,

Defendant.
-----x

S I R S :

PLEASE TAKE NOTICE, that the within is a copy
of an Order which will be presented to the presiding Justice
at Special Term Part I of the Supreme Court of the State of
New York, County of Westchester, 111 Grove Street, White Plains,
New York, for settlement on the 6th day of May, 1980 at 9:30
o'clock in the forenoon of that day.

Dated: April 29, 1980

Yours, etc.

GEORGE SASSOWER, Esq.
Plaintiff pro se
75 Wykagyl Station
New Rochelle, New York 10804
(914) 636-4050

TO: Hon. ROBERT ABRAMS
Attorney General - State of New York

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PROPOSED ORDER OF PLAINTIFF

[A5- A6]

At a Special Term Part I of the Supreme Court of the State of New York, held at the Courthouse thereof, 111 Grove Street, White Plains, New York, on the day of May, 1980.

P R E S E N T :

Hon.

Justice

-----x

GEORGE SASSOWER,

Plaintiff,

- against -

Index No.
21226-1979

APPELLATE DIVISION OF THE SUPREME COURT,
SECOND JUDICIAL DEPARTMENT,

Defendant.

-----x

It appearing that a Complaint herein had been served on the defendant's attorney pursuant to its demand and the said defendant having failed to answer with the time allowed by law, nor has the time to answer been extended either by the Court or the plaintiff,

Now, therefore, on reading and filing the Notice of Appearance with demand, the Verified Complaint with due proof of service of same, the affidavit of GEORGE SASSOWER, Esq., attorney for plaintiff pro se,

Now, on motion of GEORGE SASSOWER, Esq., the attorney for plaintiff pro se, it is

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ORDERED that the defendant be deemed in default,
and it is further

ORDERED that upon payment of the necessary fees
therefor, the County Clerk shall accept plaintiff's Note of
Issue and the matter be set down for Inquest at Trial Term,
Part I, for the day of , 1980.

E N T E R,

J.S.C.

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GEORGE SASSOWER-PLAINTIFF-AFFIDAVIT-APRIL 29, 1980

[A7-A8]

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----x
GEORGE SASSOWER,

Plaintiff,

- against -

Index No.
21226-1979

APPELLATE DIVISION OF THE SUPREME COURT,
SECOND JUDICIAL DEPARTMENT,

Defendant.
-----x

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

GEORGE SASSOWER, Esq., first being duly sworn,

deposes and says:

I am the plaintiff in the above entitled action.
The Summons was duly served upon the defendant.
Much after the expiration of twenty days, when a
Notice of Appearance had not been received, I called the
Attorney General's office at Two World Trade Center, New York,
New York, making inquiry respecting same.

Thereafter, when I received no response, I made
another inquiry and on March 24, 1980, I mailed to that office
Exhibit "A".

I did not receive any response thereto and on
April 1, 1980, I served a Verified Complaint on that office.

By happenstance, I thereafter learned that the

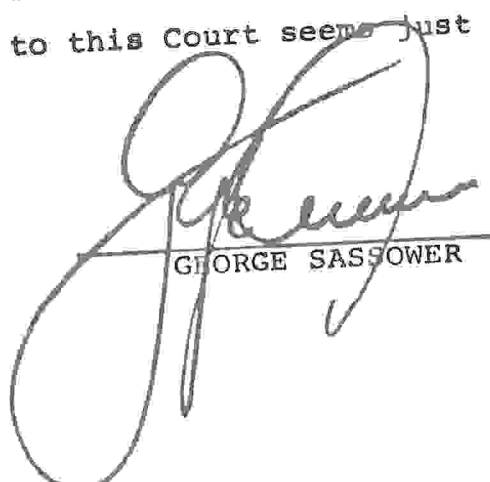
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original Notice of Appearance had been filed by the Poughkeepsie office of the Attorney General.

Consequently, on April 3, 1980, I mailed another copy of said Complaint to that office with a covering letter (Exhibit "B").

I have not received any Answer or communication from either office with respect to said Complaint and defendant is now in default.

WHEREFORE, it is respectfully prayed that an Order be entered deeming the defendant in default, setting this matter down for Inquest, together with such other, further, and/or different relief as to this Court seems just and proper in the premises.



GEORGE SASSOWER

Sworn to before me this
29th day of April, 1980

MURIEL GOLDBERG
Notary Public, State of New York
No. 60-4515474 Westchester County
Commission Expires March 30, 19.

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EXHIBIT

GEORGE SASSOWER

ATTORNEY AT LAW

814 / 886-4080

75 WYKAGYL STATION
NEW ROCHELLE, N. Y. 10804

March 24, 1980

Robert Abrams, Esq.
Attorney General-State of New York
2 World Trade Center,
New York, New York, 10047

Re: George Sassower v. Appellate Division
Second Department.

Dear Sir:

On November 23, 1979, a summons was served by the Sheriff of Kings County upon the defendant, and to date I have not received a Notice of Appearance.

I assume that you will appear for defendant, and request that you serve me with such Notice of Appearance by return mail so that I may serve my complaint in said action.

For your convenience I enclose a copy of said Summons and Affidavit of Service.

Very truly yours,

George Sassower
GEORGE SASSOWER

cc/hh

U.S. POSTAL SERVICE
CERTIFICATE OF MAILING

Received From: **GEORGE SASSOWER**
75 Wykagyl Station
New Rochelle, New York
10804

One piece of ordinary mail addressed to
Robert Abrams, Esq.
Attorney General-State of New York
2 World Trade Center
New York, New York, 10047

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE - POSTMASTER

PS FORM MAY 1976 2817

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EXHIBIT

GEORGE SASSOWER

ATTORNEY AT LAW

914 / 828-4080

75 WYKASYL STATION
NEW ROCHELLE, N. Y. 10804

April 3, 1980

Honorable Robert Abrams
Attorney General - State of New York
40 Garden Street,
Poughkeepsie, New York, 12601

Att: John B. Garrity, Esq.

Re: Sassower v. Appellate Division

Dear Mr. Garrity,

Not having received a Notice of Appearance in the above matter, I inquired respecting same by writing to your New York City Office.

Not having received any response to same, I nevertheless mailed that office a copy of my verified complaint.

Accidentally, I discovered today that your Notice of Appearance was filed in the Office of the County Clerk, Westchester County and that you obtained an Index number (21226-1979).

I herewith enclose a copy of the complaint which I previously mailed to your New York City Office.

Very truly yours,


GEORGE SASSOWER

GS/bh

Encl.

Exhibit "B"