

8/4/82

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

-----x  
GEORGE SASSOWER,

Index No.  
3608-1979

Plaintiff,

-against-

NEW YORK LAW PUBLISHING COMPANY,

Defendant.  
-----x

S I R S:

Pursuant to Civil Practice Law and Rules §3130, the following "First Set of Interrogatories" are propounded to defendant (hereinafter called "Journal"), to be answered by it, under oath, in accordance with Civil Practice Law and Rules §3134:

1. Annex a true and complete copy of the agreement between defendant and the Appellate Division of the Supreme Court effective in February and March of 1979.

2. Set forth all changes in the requirements of publication of judicial "decisions" and "opinions", if any, during the past 45 years as compared with previous contracts.

3. Set forth any and all agreements or requests made by the Appellate Division, First or Second Department, in the past 45 years, as to those judicial "decisions" or "opinions" that they desired or requested to be printed in full, as a matter of rule or routine, rather than any particular isolated case.

4. Set forth any and all guidelines set forth by the Appellate Division, First or Second Department, or any court or administrator as to those judicial "decisions" or "opinions" that were to be printed in full, in part, or not at all.

5. Set forth the general policy of defendant, as of February and March 1979, as to which judicial "decisions" or "opinions" were to be printed in full, in part, or not at all.

6. Set forth when and by whom such policy was instituted, and, if in writing annex a copy thereof.

7. Set forth the policy of defendant, as it existed in February and March 1979, if any, with respect to the publication of judicial "decisions" or "opinions", wherein the contents contained material, disclosure of which was prohibited by Judiciary Law §90[10].

8. Set forth the policy of defendant, if any, as it existed in February and March, 1979 and to date with respect to the publication of professional complaints against attorneys by judges. Annex copies of all cases published by defendant making reference to professional complaints against attorneys by judges within the past ten years.

9. Set forth who, on behalf of defendant, determines which judicial "decisions" or "opinions" were to be published for the period February 1979 to date.

10. Set forth when and by what means the "decision" of Surrogate Ernest L. Signorelli dated February 24, 1979 in the Matter of Eugene Paul Kelly, arrived at "Journal" and whether there was any convering letter or instruction. If responded to in the affirmative annex a copy thereof.

11. Set forth the names and position of those persons who generally reviewed judicial "decisions" or "opinions" to be published, as of February and March 1979.

12. Set forth the names of all those persons employed by "Journal", except for ministerial employees, who read the "decision" of Surrogate Ernest L. Signorelli dated February 24, 1979 in the Matter of Eugene Paul Kelly, prior to its being sent to the composing room.

13. Set forth the position of such employees and their legal background, if any.

14. Set forth the duties of such employees.

15. Set forth the names of any other persons consulted with respect thereto prior to such "decision" being sent to the composing room.

16. Set forth whether those persons who saw such "decision" by Surrogate Ernest L. Signorelli were familiar at the time with (a) Matter of Haas, 33 A.D.2d 1, 304 N.Y.S.2d 930; (b) Shiles v. News Syndicate, 27 N.Y.2d 9, 313 N.Y.S.2d 104; (c) Williams v. Williams, 23 N.Y.2d 592, 298 N.Y.S.2d 473; (d) Murray v. Brancato, 290 N.Y. 52; and (e) Judiciary Law §90[10].

17. Set forth whether any person who examined the aforesaid "decision" of Surrogate Ernest L. Signorelli raised the question as to whether the aforesaid cases or statute were applicable.

18. Set forth the length of time that elapsed between the receipt of the aforementioned "decision" of Surrogate Ernest L. Signorelli and the time it was sent to the composing room.

19. Set forth the procedure of the "Journal" in February and March 1979 with respect to reviewing material intended to be published that might be defamatory, violate a right of privacy, or in any other respect contravene law or gave rise to actionable liability.

20. Set forth the legal background of Nelson Seitel, Esq. and his qualifications for reviewing the legality of publishing material which might be violative of law or actionable.

21. Set forth the circumstances under which Nelson Seitel, Esq. read the February 24, 1979 "decision" of Surrogate Ernest L. Signorelli prior to it being sent to the composing room.

PLEASE TAKE FURTHER NOTICE, that a copy of the answers to the foregoing questions must be served upon the undersigned within fifteen (15) days after service of these interrogatories.

Dated: White Plains, New York  
August 4, 1982

Yours, etc.,

GEORGE SASSOWER, Esq.  
Attorney for plaintiff  
283 Soundview Avenue,  
White Plains, N.Y. 10606  
914-328-0440

To: Abrams & Sheidlower, Esqs.  
Attorneys for defendant.