

A80
PLAINTIFFS' COMPLAINT
[A80-A88]

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----x
GEORGE SASSOWER and DORIS L. SASSOWER,
Plaintiffs,

Index No.
14373-1982

-against-

ERNEST L. SIGNORELLI,

Defendant.

-----x
Plaintiffs as and for their complaint against
the defendant, respectfully set forth and allege:

AS AND FOR A FIRST CAUSE OF ACTION ON BEHALF
PLAINTIFF, DORIS L. SASSOWER

1. At all times hereinafter mentioned, plaintiffs
were and still are attorneys duly licensed and admitted
to practice law in the courts of the State of New York.

2. At all times hereinafter mentioned the
defendant, ERNEST L. SIGNORELLI, was and still is,
Surrogate of Surrogate's Court, County of Suffolk, State
of New York.

3. On or about February 24, 1982⁷⁸, the defendant knowing that all complaints of alleged professional misconduct are, by law, to be treated as private and confidential, nevertheless, maliciously caused such complaint to be publicly and extensively published, and by this and other means instigated, initiated, and compelled a disciplinary proceeding to be prosecuted against this plaintiff, without probable cause to believe that plaintiff was guilty of the professional misconduct described in defendant's published complaint.

4. As a result of the foregoing, a disciplinary proceeding was commenced against plaintiff ultimately resulting in her complete vindication and defendant's charges of ethical impropriety were found to be unfounded, knowingly false, fabricated, and contrived.

5. As a result thereof, plaintiff has sustained general and special damages, including severe and serious emotional distress, loss of opportunity in her profession, loss of personal and professional reputation, and substantial loss of income.

AS AND FOR A SECOND CAUSE OF ACTION ON BEHALF
OF PLAINTIFF, DORIS L. SASSOWER

6. Plaintiff repeats, reiterates, and realleges each and every allegation of the paragraphs of the complaint marked "1" through "5" inclusive with the same force and effect as though more fully set forth herein, and further alleges:

7. In the aforesaid disciplinary proceeding, the defendant caused the destruction or suppression of exculpatory public documents, and in other respects misled the prosecuting authorities to the prejudice of plaintiff.

8. As a result thereof plaintiff has sustained general and special damages, including severe and serious emotional distress, loss of opportunity in her profession, loss of personal and professional reputation, and substantial loss of income thereby.

AS AND FOR A THIRD CAUSE OF ACTION ON BEHALF
OF PLAINTIFF, DORIS L. SASSOWER

9. Plaintiff repeats, reiterates, and realleges each and every allegation of the paragraphs of the complaint marked "1" through "8" inclusive with the same force and effect as though more fully set forth herein, and further alleges:

10. Defendant has conducted himself towards plaintiff in such disciplinary proceedings and elsewhere in a shocking and outrageous manner, exceeding all bounds of civilized human decency, solely to harm plaintiff and her husband, without legal justification, resulting thereby in general and special damages, including severe and serious emotional distress, loss of opportunity in her profession, loss of personal and professional reputation, and income thereby.

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

11. Plaintiff repeats, reiterates, and realleges each and every allegation of the paragraphs 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. On or about February 24, 1982, ⁷⁸ the defendant, knowing that all complaints of alleged professional misconduct were to be treated as private and confidential, nevertheless maliciously caused such complaint to be publicly and extensively published and

by this and other means instigated, initiated, and compelled a disciplinary proceeding to be prosecuted against this plaintiff, without probable cause to believe that plaintiff was guilty of professional ethical misconduct as contained in defendant's published complaint.

13. As a result of the foregoing, a disciplinary proceeding was commenced against plaintiff resulting in his vindication and defendant's professional ethical charges shown to be unfounded and knowingly false, fabricated, and contrived.

14. As a result thereof, plaintiff has sustained general and special damages, including severe and serious emotional distress, loss of opportunity in her profession, loss of personal and professional reputation, and substantial loss of income.

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

15. Plaintiff repeats, reiterates, and realleges each and every allegation of the paragraphs of the complaint marked "1" through "14" inclusive with the same force and effect as though more fully set forth herein, and further alleges:

16. In such disciplinary proceeding, the defendant caused the destruction or suppression of exculpatory public documents, and in other respects misled the prosecuting authorities to the prejudice of plaintiff.

17. As a result thereof, plaintiff has sustained general and special damages, including severe and serious emotional distress, loss of opportunity in his profession, loss of personal and professional reputation, and substantial loss of income.

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

18. Plaintiff repeats, reiterates, and realleges each and every allegation of the paragraphs of the complaint marked "1" through "17" inclusive with the same force and effect as though more fully set forth herein, and further alleges:

19. That since the early part of 1976 and continuing to date the defendant has conducted himself in a shocking and outrageous manner, exceeding all bounds of human decency, solely to harm plaintiff, without legal justification, causing plaintiff substantial pecuniary loss.

20. Such egregious actions by defendant include directions to attend court in Riverhead, New York, for a pro forma conference when he knew that plaintiff was paralyzed and hospitalized in Westchester County; threatening plaintiff with the institution of disciplinary proceedings for his failure to attend court while paralyzed; directing plaintiff, as executor, to sell certain real property and in other ways recognizing plaintiff as the executor, and thereafter asserting that plaintiff was unauthorized to sell such property and was unauthorized to act as executor; making various threats to plaintiff in order to compel plaintiff to comply with defendant's unlawful directions; causing the making of embarrassing inquiries and remarks against plaintiff in Supreme Court, Queens County; sentencing plaintiff to be incarcerated for criminal contempt (1) without any accusatory instrument, (2) without notifying plaintiff of any such criminal contempt trial, (3) causing a trial of the plaintiff in his absence, (4) causing plaintiff to be convicted without his presence, (5) sentencing plaintiff also without his presence, all known to be

illegal by the defendant; directing the Sheriff's Office of Suffolk County to illegally transgress its bailiwick and its normal procedures in order to arrest plaintiff; denying him his basic constitutional rights including the right to habeas corpus relief, the right to counsel, and the right to remain silent; misrepresenting the facts to an Associate Justice of the Appellate Division to whom a Writ of Habeas Corpus had been presented; creating a climate preventing this plaintiff from receiving fair and constitutional trials; intruding himself into the affairs of other judges and officials involving plaintiff, including with the Chairman of the Grievance Committee; attempting to prevent plaintiffs release from incarceration pursuant to a Writ of Habeas Corpus; and in other ways maintaining and continuing a campaign of harassment against plaintiff and his family.

21. As a result thereof, plaintiff has sustained general and special damages, including severe and serious emotional distress, loss of opportunity in his profession, loss of personal and professional reputation, and substantial loss of income.

WHEREFORE, plaintiffs demand judgment against defendant, as compensatory and punitive damages, in the sum of \$1,000,000 in each and every one of the plaintiffs' causes of action herein, together with costs and disbursements.

GEORGE SASSOWER, Esq.
DORIS L. SASSOWER, Esq.
Plaintiffs-pro se.
283 Soundview Avenue,
White Plains, N.Y. 10606

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

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

I am one of the plaintiff in the within action
and have read the foregoing complaint.

The same is true to my own knowledge except as
to matters contained therein stated to be on information
and belief and as to those matters he believes same to
be true.



GEORGE SASSOWER

Sworn to before me this
20th day of September, 1982



MURIEL GOLDBERG
Notary Public, State of New York
No. 60-4515474 Westchester County
Commission Expires March 30, 1983

GEORGE SASSOWER

ATTORNEY AT LAW

914/328-0440

A-92
Exhibit "1"
[A92-A94]

283 SOUNDVIEW AVENUE
WHITE PLAINS, N. Y. 10608

November 10, 1982

Frank H. Connelly, Jr., Esq.
Chairman, Grievance Committee
249 Huguenot Avenue,
New Rochelle, N.Y. 10802

Dear Mr. Connelly,

Yesterday, not unexpectedly, an Assitant Attorney General, presented to Hon. Henry W. Lengyel, Judge of the Court of Claims in White Plains, a copy of the Signorelli disciplinary complaint against me and my wife, although manifestly incompetent, irrelevant, and impertinent under his CPLR 3211(a) motion.

As a result of the oral arguments before His Honor, I was "ordered and directed" to submit the Report of Hon. Aloysius J. Melia, despite the fact that I advised the Court that it was your Committee's position, that it is improper for me to publish or disclose the result or any evidence therefrom, even in a judicial tribunal.

I advised His Honor, that when I made a prior exculpatory disclosure in two pertinent judicial proceedings, your Committee sua sponte made complaint against me for such action.

I further advised His Honor that I could indirectly comply with His Honor's request by serving a Subpoena upon your Committee directing it to produce such report, but that from a recent experience with Hon. George Beisheim, Jr., it would be your position that no one, except the Appellate Division, had jurisdiction to make such direction, and such direction, if made, would not be obeyed unless also authorized by the Appellate Division.

Obviously, His Honor, feels uncomfortable and does not understand the bizarre situation wherein the Signorelli diatribe was published and constantly republished and distributed by the Attorney General's Office and others, while I am restrained from publishing any vindicating evidence or results, which emanates from the disciplinary proceedings.

8th JUDICIAL DISTRICT

NOV 12 1982

GRIEVANCE COMMITTEE

Exhibit "1"

Frank H. Connelly, Jr. Esq. -2-

Nov. 10, 1982

I cannot explain this absurd situation to His Honor or anyone else, because I do not understand it myself.

Clearly, the remedy, in face of the unambiguous wording of Judiciary Law §90(10), would be some long overdue action by your Committee against those who persist in violating the law by this publication and constant republication, which thus far, you have not taken.


To exacerbate the situation, His Honor, has, sua sponte, opted to convert the State's motion pursuant to CPLR 3211(c), compelling me to produce material which would clearly violate your Committee's interpretation of the statute.

We both know, as well as all those familiar with the situation, that I could literally "bury" Signorelli, the Committee, the Attorney General's Office, and others if there were a full disclosure of the events in this matter.

His Honor requested me to communicate with your office so that you could possibly explain and advise the Court of your Committee's position on the subject.

Since the Attorney General represents your Committee, as well as Judge Signorelli (without my consent), I expect that a realistic Chinese Wall be established in the Committee's Office, as well as in the Attorney General's Office, to diminish this clearly unethical situation of conflicting interests.

Very truly yours,


GEORGE SASSOWER

GS/bh

cc: Hon. Henry W. Lengyel

Hon. Mary Johnson Lowe
U.S.D.J. (82 Civ.4970)

Hon. Milton Mollen

SUN BELLEVILLE DISTRICT

NOV 10 1982

CRIME & JUSTICE COMMITTEE

Frank H. Connelly, Jr., Esq.

Nov. 10, 1982

Presiding Justice.

Hon. Theodore R. Kupferman
Justice Presiding

Hon. Matthew F. Coppola

Robert Abrams, Esq.

David J. Gilmartin, Esq.

Abrams & Sheidlower, Esqs.

Gary L. Casella, Esq.

THE DISTRICT COURT OF
JULY 10 1982
CRIMINAL COMMITTEE

A-95
Exhibit "2"
State of New York
Grievance Committee for the
Ninth Judicial District

200 BLOOMINGDALE ROAD

WHITE PLAINS, N. Y. 10608

914-949-4540

FRANK H. CONNELLY, JR.
CHAIRMAN

GARY L. CASELLA
CHIEF COUNSEL

RICHARD E. GRAYSON
TIMOTHY J. BRENNAN
ASSISTANT COUNSEL

SYLVIA L. FABRIANI
INVESTIGATOR

November 15, 1982

George Sassower, Esq.
285 Soundview Avenue
White Plains, New York 10606

Dear Mr. Sassower:

I write in response to your letter of November 10 which was addressed to me at my law office in New Rochelle.

While I do not agree with everything said in that letter, I am not unsympathetic to the predicament in which you find yourself. I have asked Mr. Casella to investigate what may be done consistent with the Judiciary Law and the Rules of the Court.

Very truly yours,


Frank H. Connelly, Jr.

FHCjr/s

Exhibit "2"

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Exhibit "3"
State of New York
(A96-A97)
Grievance Committee for the
Ninth Judicial District

200 BLOOMINGDALE ROAD

WHITE PLAINS, N. Y. 10605

914-949-4540

FRANK H. CONNELLY, JR.
CHAIRMAN

GARY L. CASELLA
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RICHARD E. GRAYSON
TIMOTHY J. BRENNAN
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SYLVIA L. FABRIANI
INVESTIGATOR

November 23, 1982

CONFIDENTIAL

Honorable Henry W. Lengyl
Judge of the Court of Claims
15th Floor
44 South Broadway
White Plains, NY 10601

Dear Judge Lengyl:

This is to confirm our telephone conversation of today regarding the letter (copy enclosed) of George Sassower, Esq., dated November 10, 1982.

Mr. Sassower inquired therein inter alia, as to his rights of disclosure concerning matters that have been considered by the Grievance Committee.

The position of this Committee is that in view of the requirements of §90(10) of the Judiciary Law, it is the sole province of the Appellate Division as to whether or not to permit any such items to be divulged.

Section 90(10) provides as follows:

Any statute or rule to the contrary notwithstanding, all papers, records and documents upon the application or examination of any person for admission as an attorney and counsellor at law and upon any complaint, inquiry, investigation or proceeding relating to the conduct or discipline of an attorney or attorneys, shall be sealed and be deemed private and confidential. However, upon good cause being shown, the justices of the appellate division having jurisdiction are empowered, in their discretion, by written order, to permit to be divulged all or any part of such papers, records and documents. In the discretion of the presiding or acting presiding justice of said appellate division,

Exhibit "3"

Honorable Henry W. Lengyl
November 23, 1982
Page Two

such order may be made either without notice to the person or attorneys to be affected thereby or upon such notice to them as he may direct. In furtherance of the purpose of this subdivision, said justices are also empowered, in their discretion, from time to time to make such rules as they may deem necessary. Without regard to the foregoing, in the event that charges are sustained by the justices of the appellate division having jurisdiction in any complaint, investigation or proceeding relating to the conduct or discipline of any attorney, the records and documents in relation thereto shall be deemed public records.

If there are any further questions in this matter, I would be pleased to be of whatever assistance is possible.

Respectfully submitted,



Gary L. Casella
Chief Counsel

GLC/jfc
Enclosure

cc: Frank H. Connelly Jr., Esq.
✓ George Sassower, Esq.