

A89
OPINION - HON. MATTHEW F. COPPOLA
[A89-A91]

FILED
AND
ENTERED
ON Dec. 23, 1982
WESTCHESTER
COUNTY CLERK

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X

GEORGE SASSOWER and DORIS L. SASSOWER

Index No. 14373/82

Plaintiffs

- against -

DECISION

ERNEST L. SIGNORELLI

Motion date: 10/29/82
Calendar #75

Defendant

-----X

COPPOLA, J.

Defendant moves to dismiss plaintiffs' complaint, contending that same is barred for res judicata, absolute immunity, that the Statute of Limitations has run and there are prior pending actions between the parties for essentially the same Causes of Action pleaded in the instant matter. The moving papers detail the various proceedings brought before various judicial tribunals in various jurisdictions and I do not find it necessary to expand further thereon. Suffice it to say that the plaintiffs have embarked on a course of endless, unceasing, vexatious litigation directed at the defendant herein. Notwithstanding, the plaintiffs urge that if this latest complaint sets forth even one cognizable Cause of Action, the

motion to dismiss must be denied. I do not feel the law requires such a narrow interpretation and confined approach. On the contrary, there must come a time when the multitudinous actions and the mountains of papers generated therefrom must cease in the interest of preventing judicial grid-lock. To my view, that time has arrived. The instant action involves nothing more than a rehash of allegations previously asserted in one form or another, in one forum or another, and either dismissed or presently pending. Accordingly, the motion is granted and the complaint dismissed [CPLR 3211(a) subd. 4,5].

It seems clear that the plaintiffs are bent upon a course of litigation harassment and under these circumstances and to avoid an unnecessary erosion of judicial resources, the plaintiffs are hereby enjoined from instituting any further proceedings in any New York State Courts based upon incidents relating to the Matter of Eugene Paul Kelly. That branch of the motion seeking to enjoin the plaintiffs from bringing suit against attorneys charged by law with the responsibility of defending public officials is denied without prejudice to a renewal of the motion upon appropriate showing that the relief requested is required.

Plaintiffs' cross-motion to disqualify Robert Abrams

as defendant's attorney is denied.

Submit order on notice.

Dated: December 22, 1982
White Plains, New York

MATTHEW F. COPPOLA
JUSTICE OF SUPREME COURT

GEORGE SASSOWER, ESQ.
DORIS L. SASSOWER, ESQ.
Plaintiffs Pro Se
283 Soundview Avenue
White Plains, New York 10606

HON. ROBERT ABRAMS,
Attorney General of the State of New York
Attorney for Defendant
Jeffrey I. Slonim, Esq., Assistant Atty Gen'l of Counsel
Two World Trade Center
New York, New York 10047