UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GEORGE SASSOWER, individually and as trustee etc.,

Plaintiff,

File # 86Civ3797 [JM]

-against-

VINCENT G. BERGER, JR.; et el.,

Defendants.

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S I R S:

PLEASE TAKE NOTICE, that upon the annexed affidavit of GEORGE SASSOWER, Esq., duly sworn to on the 10th day of November, 1986; the plaintiffs' Memorandum, and the verified complaint, the undersigned will move this Court before Hon. JACOB MISHLER, United States District Judge, at the United States Courthouse, Uniondale Avenue and Hempstead Turnpike, Uniondale, New York, 11554, on the 1st day of December, 1986, 9:30 o'clock in the forenoon of that day, or such other day and time the Court believes appropriate, for an Order (1) compelling the defendants to bring to an expeditious conclusion, on the merits, under a constitutional scheme, a ten (10) year old non-summary criminal contempt proceeding, wherein the charge is that he "wilfully failed to turn over the books and records of the Estate of Eugene Paul Kelly; (2) compelling the state judicial powers to take such administrative steps as may be necessary to prohibit the

unbridled control of non-summary criminal contempt proceedings by civil adversaries in all such proceedings; and (3) insuring that plaintiff is not made the subject of retaliatory action by state officials, judicial or otherwise, for resorting to the federal forum for relief; (4) together with such other, further, and/or different relief as to this Court may seem just and proper in the premises.

PLEASE TAKE FURTHER NOTICE, that opposing papers, if any, are to be served in accordance with the Rules of this Court.

Dated: November 10, 1986

Yours, etc.,

GEORGE SASSOWER, Esq.
Attorney for plaintiffs
51 Davis Avenue,
White Plains, N.Y. 10605
(914) 949-2169

To: All Defendants.
Hon. Robert Abrams
Newsday: Ms. Jane Fritsch

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

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

1a. This affidavit is in support of a motion to compel the defendants to expeditiously prosecute to conclusion, an almost ten (10) year old non-summary criminal contempt proceedings against your deponent, on the merits, where the perjurious accusatorial charge is that deponent "wilfully refused to turn over the books and records with respect to the Estate of Eugene Paul Kelly".

b. This motion also requests that such prosecution, and indeed all state prosecutions for non-summary criminal contempt, be in accordance with federal constitutional principles; and unlike his prior resorts to the federal court, deponent not be made a subject of retaliatory state action.

2a. The prejudicial, bad faith, harassing, never ending procedural dances, by the entourage of Surrogate ERNEST L. SIGNORELLI ["Signorelli"], the Suffolk County officials, and the judiciary, state and federal, against your deponent and his family, must be brought to a conclusion!

b. Every related civil and quasi-criminal, fundamentally fair trial or hearing, has resulted in a determination that the criminal accusation was and is contrived and fabricated.

c. Indeed, at such fundamentally fair trials or hearings, the findings that such accusation against your deponent is false rests essentially on the admissions and confessions of ANTHONY MASTROIANNI ["Mastroianni"], Signorelli's appointee, and VINCENT G. BERGER, JR., Esq. ["Berger"], Signorelli's former campaign manager.

d. In the latest determination made on the subject, to wit., the decision of Acting Surrogate, BURTON S. JOSEPH, dated August 1, 1986, after a ten (10) day trial, His Honor stated (p. 5):

> "Mr. Sassower ... had not withheld any necessary records which caused an inability to close out the Estate, or loss to the Estate." [emphasis supplied]

e. The aforementioned decision, which completely threw out the claim of $72,778.44 against your deponent, summarizes the prior complaints as follows [pp. 2-3]:

> "Some of the testators heirs represented by counsel [Charles Z. Abuza, Esq.], made serious allegations against Mr. Sassower in his fiduciary capacity causing the Public Administrator [Mastroianni], and/or his attorneys [Berger] and/or the attorney for the heirs [Abuza] to file complaints against Mr. Sassower with the Suffolk County District Attorney, the Westchester County District Attorney, and the Grievance Committee of the Bar Association.
>
> Hon. Aloysius J. Melia, a Referee, appointed by the First Judicial Department of the Appellate Division recommended dismissal of all of the charges which had been lodged against Mr. Sassower in connection with the accusations made by the Public Administrator [Mastroianni], his attorney [Berger], Mr. Abuza, attorney for the inter vivos trust beneficiaries, and possibly the inter vivos trust beneficiaries themselves. The Referee's report which was confirmed and which was 87 pages long painstakenly considered the various allegations of impropriety, misconduct, and dereliction of duties that Mr. Sassower had been accused of, and while said report clearly vindicated Mr. Sassower, it also set forth that the attorney for the inter vivos creditors [Abuza], had misled prior courts ...
>
> Apparently both the District Attorney of Suffolk County and the District Attorney of Westchester County, found that Mr. Sassower had broken no laws and they took no action, notwithstanding the complaints that they had received from the Public Administrator [Mastroianni] or his attorney [Berger], or Mr. Abuza, or the inter vivos trust beneficiaries.
>
> While this Court accepted into evidence the aforementioned Report (without any objection made thereto), and did accept evidence as to the respective District Attorney's inquiry herein, and although most of the parties involved therein were the same as the litigants herein, this Court accepted all of the same with the understanding which was made known to the attorneys that this Court would not be bound by said determination." [emphasis supplied]

f. Despite the aforementioned, deponent is still being criminally pursued in the state courts, by his adversaries, as self-styled public prosecutors, with respect to the sham and wholly contrived charges, that he "did not turn over such books and records"!

g. The time has come for this Court to declare that the state courts must give obedience to the federal constitution in matters relating to non-summary criminal contempt!

3a. Once again, deponent's adversaries, while such criminal prosecutions are pending, have resorted to the media as a supplementary forum (Newsday, November 2, 1986).

b. This time, unlike prior occasions, the challenge is being accepted by your deponent, and the media will be made privy to deponent's counter-charges!

4a. Deponent desires to clearly state that he does not desire a dismissal based upon the failure to afford him a speedy trial, nor because the form of the accusation may be defective, or for any other procedural reason, but desires an expeditious trial on the merits, according to federal constitutional mandate.

b. Such criminal proceedings must be by a public prosecutor, or by independent counsel (Polo Fashions v. Stock Buyers, 760 F.2d 696 [6th Cir.], amicus invited, U.S. , 106 S.Ct. 565, 88 L.Ed2d 550), or the prosecution properly controlled (U.S. ex rel. Vuitton v. Klayminc, 780 F2d 179 [2d Cir.]).

c. Deponent demands that all exculpatory evidence and information be produced (United States v. Agurs 427 U.S. 97), and that his other basic criminal rights be recognized, including the expeditious termination of this 1978 perjurious accusation, by trial or otherwise!

d. The prosecution and the enforcement thereof cannot be controlled by Signorelli, Berger, and Mastroianni, whose brazen plundering activities have now again been again exposed, and who are essential witnesses in any such non-summary criminal contempt proceeding.

e. The state courts must be made to recognize that the unbridled control of non-summary criminal contempt by civil litigants, is not due process nor equal protection. In these private adversarial controlled proceedings proceedings, exculpatory information is never disclosed; the purpose is almost invariably to extort and blackmail for private purposes; its uncontrolled non-public financing results in proceedings whose intensity is not dependent on the accused's alleged transgression, but on the accusor's resources.

f. Furthermore, an accused is deprived of his basic rights to a fair trial, and his 5th Amendment rights, where as here, the Signorelli entourage repeatedly resorts to the media.

5a. The complaint in this action, filed on November 7, 1986, reveals outright corruption and bad faith harassment of the most barbaric nature, by the defendant, Signorelli, his entourage, which has received the active cooperation of the APPELLATE DIVISION OF THE SECOND JUDICIAL DEPARTMENT, and its members.

b. The public must understand that the average person or attorney cannot financially afford to engage in frivolous litigation.

For those like your deponent the "pursuit of justice" on the most valid grievances, is at best, an expensive and monetarily unrewarding undertaking.

c. On the other hand, the judiciary, particularly when it attempts to conceal its own misconduct, will employ every procedural devise it can muster, in order to bludgeon the litigant into a state of silence, including attorney fee awards, injunctions, incarcerations without benefit of trial, and other improper and corrupt practices.

6a. Thus, at the present time, a 1978 habeas corpus proceeding is pending on Long Island instead of Westchester County, only because, ex parte, the law secretary of the defendant, HARRY SEIDELL ["Seidell"], an "interested" party telephoned a jurist in Supreme Court, Westchester County, where such Writ was properly made returnable and requested such transfer be made.

b. Since deponent was not detained in a state institution, the writ signed by Hon. ANTHONY J. FERRARO could have been made returnable either in the county of issuance or in Suffolk County (CPLR §7004[c]).

c. His Honor made it returnable in Westchester County!

d. There are those, like Seidell and Signorelli, who believe that the robe is an emolument of judicial office to "fix" or improperly influence judicial determinations, deponent does not!

e. The Office of the Suffolk County Attorney, whose present incumbent is the defendant, MARTIN B. ASHARE, Esq. ["Ashare"], does not like frivolous litigation, apparently only when it is practiced by others, and his office is its victim, according to the published article in Newsday.

f. Deponent cannot financially afford to engage in frivolous litigation, nor can he afford to defend the frivolous litigation of the Suffolk County Attorney's Office, or the barbaric activities of its clients, or the corrupt activities of its co-defendants.

g. The judiciary did not have to make any frivolous motions and have such motions denied. A simple ex parte telephone call, from the law secretary of a jurist who was constitutionally disqualified to adjudicate, with little more, was all that was necessary to transfer such proceeding from Westchester County to Suffolk County!

h. Consequently, the burden is placed upon your deponent, to repeatedly travel to Long Island, on an asinine habeas corpus proceeding, which he can ill afford, rather than walk a few blocks over to the Westchester County Courthouse.

i. It is a habeas corpus proceeding which must be granted as a matter of constitutional law, and which should have been granted summarily by the Appellate Division (Sassower v. Finnerty, 96 A.D.2d 585, 465 N.Y.S.2d 543 [2d Dept.]), since as shown by the complaint herein, such appellate court actually knew (1) that deponent was actually engaged on trial in Supreme Court, Bronx County, at the time such default was taken; and (2) in addition thereto, that deponent had been resoundingly vindicated, after twenty (20) days of hearings by Hon. ALOYSIUS J. MELIA on each and every charge, including the charge that he failed to turn over the "phantom" books and records of the Kelly Estate.

j. When a non-summary criminal contempt proceeding is on for a hearing for the first time, an attorney, in the midst of a trial in a higher court, cannot be charged with the intentional and deliberate waiver of his confrontation rights by his failure to appear, when by affidavit, such attorney has set forth his actual engagement elsewhere!

k. Can there be any doubt that with everyone agreeing that deponent was actually engaged on trial in a higher court, that any jurist outside of Suffolk County, would have immediately sustained deponent's writ?

l. Such writ, by improper judicial practices, had to be "dragooned" to Suffolk County, if there was to be any chance that same would not be sustained!

m. The action by the Appellate Division, particularly when it knew the actual charge was false and contrived, can only be attributed to the desire to harass in bad faith.

7a. By March 1978, the scenario in Surrogate's Court, Suffolk County was clear:

b. Every time deponent was present, little or nothing was done!

c. On the other hand, when deponent was hospitalized; or paralyzed; or in the Court of Appeals; or in the Appellate Division, Second Department; or in the Appellate Division, First Department; or in Supreme Court, Queens County, or on elsewhere on trial; or Ms. Sassower was elsewhere engaged, defaults were taken!

d. Had deponent appeared on March 7, 1978, all evidence presently available to deponent reveals that neither Berger nor Mastroianni would have proceeded to a hearing. They simply could not subject themselves to cross-examination.

e. Berger and Mastroianni, not only had all of deponent's records and papers with respect to the Estate of Eugene Paul Kelly, which had been turned over before the first contempt proceeding, but also the books and records of Albert Baranowsky, the accountant for Eugene Paul Kelly, during his lifetime.

f. The fact that even before the first contempt proceeding Berger and Mastroianni had all of deponent's books and records, was clearly established at the hearings before Hon. ALOYSIUS J. MELIA. The fact that they also had the books and records of the accountant for Mr. Kelly since 1977, was deliberately concealed by the Signorelli entourage from the Grievance Committee, Judge Melia, and everyone else, until the happenstance discovery of same during the hearings before Hon. BURTON S. JOSEPH.

g. In substance, the Ashare accusation, when examined is that needless expenditures are being made because of the failure to comply with the law's demand by his own office, by his own clients, by its own confederates, not because of deponent's doings.

8a. The "Signorelli plunderers" have been exposed only because of their meritless disciplinary complaints, and by making a meritless claim against your deponent for $72,778.44, both of which caused hearings to be held!

b. The "Signorelli plunderers", were hoisted by their own petards, and became the "Signorelli blunderers" by triggering such hearings.

c. Had the "Signorelli blunderers" not made any claim against your deponent, it would never have been revealed that Mastroianni, in seeking a successor for Berger, chose IRWIN KLEIN ["Klein"], and his relationship to Signorelli.

Klein, a Manhattan based attorney, essentially specializing in matrimonial and criminal matters, made claim against the Estate of Eugene Paul Kelly for $12,500 for legal services for that Estate. He was also Signorelli's private attorney, in Signorelli's personal matrimonial litigation!

Klein had done absolutely nothing intended to nor which in fact benefited the Estate. When deponent moved in the Appellate Division, in 1982, to compel the expeditious processing of the Kelly Estate to conclusion, Mr. Klein submitted an opposing affidavit. How did this inure to the benefit of the Estate? Why was Mastroianni opposed to its expeditious processing? Had the "Signorelli plunderers" still entertained the hope that deponent would succumb?

Would anyone believe that Mastroianni, at the cost and expense of the Estate, to benefit the Estate, went from Riverhead to New York County to select a matrimonial attorney, for reasons unassociated with the fact that Klein was also Signorelli's personal matrimonial attorney!

Hon. BURTON S. JOSEPH, rendered no expressed opinion, but simply cut the claim from $12,500 to $1,000, which indeed is eloquent!

In deponent's opinion, His Honor erred by $1,000, for Mr. Klein should have been awarded nothing, and Mastroianni advised that Signorelli should pay his own private expenses from his own pocket, and not attempt to encumber the Estate with same!

Obviously Signorelli would not have awarded Klein only $1,000 had Judge JACOB MISHLER not compelled Signorelli to recuse himself in February 1978!

d. Berger's fees were cut from a claim of $15,000 to $4,000 by Hon. BURTON S. JOSEPH, although it is difficult to find $400 worth of legal services that were rendered by Signorelli's former campaign manager, intended to benefit the Estate!

Had the Estate, a "constitutional person" within the meaning of the XIV Amendment been represented, Berger would have faced a substantial claim against him from the Estate!

The fact is that deponent was only protecting himself from such $72,000 claimed surcharge, and the beneficiaries were represented by CHARLES Z. ABUZA, Esq. ["Abuza"].

Deponent, except for defending himself, had no standing to defend anyone else at such hearing, or so deponent believed at the time.

Abuza's, the last of the big time spenders, openly expressed the opinion that Berger was entitled to everything he requested, then folded his tent, disappeared, and never participated in such hearings, in defense of anything claimed by the "judicial plunderers"!

Again, and obviously so, Signorelli would have not have awarded Burger only $4,000 had Judge JACOB MISHLER not compelled Signorelli to recuse himself in February 1978!

e. To serve your deponent with an Order to Show Cause, which the Sheriff of Westchester County would have effectuated for less than $15, Berger and Mastroianni gave it to a local acquaintance, who not only did not serve it, but presented the Estate with a bill for $1,495!

f. To serve DORIS L. SASSOWER, Esq. in 1978, with a Subpoena Duces Tecum, Mastroianni paid a local process server $168.70 from Estate funds, to compel her to come to Riverhead concerning the whereabouts of Estate books and records which they admittedly had in their possession for more than one (1) year.

g. In short, the Kelly Estate, in the "Signorelli courthouse", were and are perceived as "fortune cookies", not as "helpless constitutional persons"!

9a. There was no question that from April 1976 to March 1977, deponent was recognized by everyone, as the Executor of the Kelly Estate.

b. When deponent asked permission of Signorelli to enter into a contract to sell a vacant Estate house, Signorelli granted such permission and directed that deponent do so.

c. No one having an interest in such Estate, or otherwise had a potential purchaser with a better offer.

d. At the eve of closing, with Certified Letters Testamentary, dated March 14, 1977, in hand, Signorelli, sua sponte, declared that deponent had been removed as Executor in March of 1976, and aborted the sale as being unauthorized!

e. Signorelli disregarded the designation of DORIS L. SASSOWER, Esq., as the alternate executor, and appointed the Public Administrator, Mastroianni, whose attorney was Berger, his campaign manager.

f. Seventeen (17) months -- one (1) year and five (5) months -- later, Berger and Mastroianni conveyed such vacant house to the same person that deponent had signed a contract with, for the same price!

g. In the opinion of the "Signorelli blunderers", the cost for maintaining such vacant house for an additional seventeen (17) months, should be borne by the Estate, without Abuza raising any objections to this or any other claimed expenditure!

h. Had Signorelli, instead of Hon. BURTON S. JOSEPH been presiding, there would be little doubt as to the outcome!

10a. Nevertheless, the realities of the situation must be recognized for Hon. BURTON S. JOSEPH, a Family Court jurist in Nassau County, for all the judicial independence that His Honor may try to muster, His Honor is not in a position to expressly state in a written opinion, that the Signorelli and his appointees, direct and indirect, were intending to plunder; that 90% of the Surrogate's Court file was pruned in an attempt to

conceal; and that the factual recitation in Signorelli's sua sponte diatribe, the Daily News articles, the opinions of the Appellate Division and Mr. Judge JACOB MISHLER, all made without the right to confront, are unadulterated contrived nonsense, to say the least.

b. The problem with dealing with judicial misconduct and corruption in the judicial arena, is that no one sees the exonerating opinions of Hon. GEORGE F.X. McINERNEY, Hon. ALOYSIUS J. MELIA, and Hon. BURTON S. JOSEPH, all rendered after hearings, with opportunity at cross-examination.

c. On the other hand, the "crystal ball determinations", made without benefit of trial, have inudated the judicial forum, as well as the media.

11a. When your deponent appeared before Hon. JACOB MISHLER, in February 1978, seeking preservation of the judicial records in Surrogate's Court, His Honor, smiled, and on the record, stated that the request reminded him of a cartoon concerning a psychotic!

b. Almost three (3) years later, it was obvious to the Grievance Committee, as well as Judge MELIA, that Signorelli's court had pruned at least twenty-five (25) judicial documents from the Court file, in "Keystone Cops fashion"!

They simply had forgotten that they gave some of these documents before destruction to the Grievance Committee!

c. More than eight (8) years later, before Hon. BURTON S. JOSEPH, 90% of the file was pruned by the Signorelli court, leaving only the few, self-fabricated documents, intact!

Here again the obvious was brought home to Mr. Justice, only late in the trial, when deponent insisted that the Index Cards of Surrogate's Court be produced. It was only during the closing hours of the hearings that such request was complied with by the Signorelli Court, and the fraud made obvious.

d. The problem is that when the courts have the power to blithely destroy and fabricate judicial documents, with impunity, summary dispositions, are totally unreliable and worthless.

12a. In June of 1977, after deponent had turned over the books and records of the Kelly Estate to Berger and Mastroianni, (1) without any accusatory instrument; (2) without notice of any trial or hearing; in absentia, deponent was (3) tried; (4) convicted; and (5) sentenced to be incarcerated!

b. Early the following morning, the Sheriff of Suffolk County, the clients of Ashare, at the request of the "self styled public prosecutors", transgressed their statutory bailiwick, went to Westchester County, and abducted deponent back to Signorelli. Deponent was deprived of about every constitutional right, including the right to obtain a writ of habeas corpus signed. Deponent was thereafter incarcerated, when he refused to succumb to such diabolical tyrant!

c. Once they recognized that the Signorelli recitation that such alleged contempt was committed in his "immediate presence" was false, fabricated, and contrived, it took no more than two (2) seconds for Hon. JACOB MISHLER, Hon. GEORGE F.X. McINERNEY, Hon. PAUL J. BAISLEY, the Assistant Suffolk County Attorney, and the Assistant Attorney General, to recognize that such conviction was totally invalid.

Indeed, deponent was about one hundred (100) miles away at the time.

d. Nevertheless, this totally invalid conviction, and the misconduct of the Sheriff, had to be concealed, so that instead of immediately sustaining such writ, an almost five (5) day judicial charade had to be performed, orchestrated by Signorelli and the Suffolk County Attorney, to make it seem that some highly technical defect existed, for sustaining it.

e. Five (5) days, at what expense Mr. Ashare, in order to avoid stating that Signorelli was a "tyrannical lunatic"!

f. Once such Writ was sustained, Signorelli placed pressure on both the Suffolk County Attorney and the Attorney General to appeal. Both offices refused, but finally the Attorney General's Office was pressured into appealing, when they all knew, and overtly expressed the opinion, that the Signorelli "mock" criminal contempt proceeding was wholly invalid and barbaric!

g. A second non-summary criminal contempt proceeding by the Signorelli entourage, also went down the drain!

h. Signorelli and his entourage, unable to sell this vacant house, in full possession of all deponent's books and records with respect to the Estate, as well as the Baranowsky books and papers, commenced a third proceeding, based on the same perjurious allegations.

13a. Documents, heretofore concealed, irresistibly compel the conclusion that had deponent been able to appear on March 7, 1978, the criminal contempt hearing would have never taken place!

b. With actual knowledge that deponent was actually engaged in Supreme Court, Bronx County, in the midst of a trial, the Signorelli entourage, which now included Seidell, now entered an Order again sentencing deponent to be incarcerated for thirty (30) days, although they had actual knowledge that such order was unconstitutional and void.

c. Refusing to vacate such patently unconstitutional conviction, as suggested by Hon. JACOB MISHLER, and afford deponent a trial, the Signorelli entourage, and the Sheriff of Suffolk County refused deponent's written offer to surrender at the Supreme Court Courthouse in Westchester, Bronx, or Manhattan, but instead made numerous forays into Westchester, Manhattan, and Kings Counties, disparaging deponent and his family by falsely advising everyone that they were searching for deponent "a fugitive from justice".

d. With a proceeding pending to keep the Suffolk County Sheriff out of Westchester County, his deputy sheriffs arrested deponent, when he was alone, and abducted him back to Suffolk County.

e. When deponent's spouse, DORIS L. SASSOWER, Esq., accompanied by their daughter, presented a Writ of Habeas Corpus, directing deponent's immediate release, they were also incarcerated, without benefit of food, water, or toilet facilities!

f. How much did your office expend for such barbaric conduct Mr. Ashare?

14a. It is now known, that the incarceration of Ms. Sassower and their child, was for the purpose of "fixing" the release of deponent!

b. Assigned for such "fixing" operation was, on information and belief, Presiding Justice MILTON MOLLEN, who was to and did communicate with Mr. Justice ANTHONY J. FERRARO.

c. Mr. Justice MILTON MOLLEN should know that historically and by statute, once a person is released, under a writ of habeas corpus it may not be stayed pending an appeal (CPLR §7011), or otherwise modified!

d. Consequently, the "fixing" operation was attempted by telephone between Mr. Justice MILTON MOLLEN and Mr. Justice ANTHONY J. FERRARO. Mr. Justice FERRARO stood fast, and it took a reading of the riot act to the Suffolk County officials by His Honor, before obedience was given to such Writ by Mr. Ashare's clients.

e. When jurists, including the Presiding Justice of the Appellate Division, employ their office to fix dispositions with other jurists, especially a writ of habeas corpus, the situation is bad, and the public has a right to know what are the "coins in the judicial realm".

15a. Interestingly, deponent's desire to be immediately released was a result of his desire to appear in defense of his client, an update judge, in an upstate court that Monday morning.

b. Instructively, when Ms. Sassower, in sealed papers in a matrimonial proceeding, mentioned that her adversary in that proceeding was facing relevant disciplinary charges, she was charged with violating Judiciary Law §90[10].

c. On the other hand, when Signorelli sent to Presiding Justice MILTON MOLLEN his sua sponte disciplinary complaint, which had been simultaneously been published in the New York Law Journal, Mr. Justice MOLLEN did not chastise Signorelli for blatantly violation Judiciary Law §90[10], but instead sent to Signorelli a gracious "Thank You" note, a copy of which he sent to the Grievance Committee.

d. Significantly, Mr. Justice MILTON MOLLEN did not send any notes to deponent and Ms. Sassower when they resoundingly torpedoed the Signorelli inspired complaint, 34-0, after about twenty-five (25) days of hearings.

e. The cost to the taxpayer was in the hundreds of thousands of dollars!

f. The point is that when judicial improprieties are involved, everything seemingly becomes subject to summary treatment, and everything becomes frivolous!

16a. This application should be read in tandem with the verified complaint herein.

b. Perhaps if Mr. Ashare would afford deponent a fundamentally fair expeditious hearing on such criminal contempt charges, he would not have to trouble himself with frivolous motions.

c. Perhaps if Mr. Ashare would openly denounce the judicial "fixing" operations, there might be a little justice in this matter.

17a. The federal courts, to protect their own jurisdiction, must make it eminently clear that the state courts may not retaliate against those seeking federal relief.

b. An analysis of the actions taken by the state courts, after deponent resorts to the federal forum for relief, clearly reveals such retaliatory measures.

GEORGE SASSOWER

Sworn to before me this
10th day of November, 1986

Cynthia B. Cerny

CYNTHIA B. CERNY
Notary Public, State of New York
No. 41-4715624
Qualified in Queens County
Commission Expires March 30, 1988