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October 10, 1989

Hon. G. Oliver Koppell
Chairman, Judiciary Committee
N.Y. State Assembly
Albany, New York 12248

Re: Greylord - New York.

Honorable Sir:

Since copies of this letter are being distributed to the public, including the media, specifics, which ordinarily would be unnecessary, are set forth herein.

As the letter of October 2, 1989 from John Eiseman, Esq., Deputy Counsel for the Office of Court Administration reveals, no Judiciary Law §35-a filings have been made by members of the judiciary with respect to the awards made from the judicial trust assets of Puccini Clothes, Ltd.

A copy of Mr. Eiseman's letter, as indicated therein, was sent to Chief Judge Sol Wachtler.

Judiciary Law §35-a, in relevant part, provides:

"On the first business day of each week any judge or justice who has during the preceding week fixed or approved one or more fees or allowances of more than two hundred dollars for services performed by any person appointed by the court in any capacity ... shall file a statement with the office of court administration The statement shall show the ... number of hours spent by the appointee in performing the services, the nature of the services performed The judge or justice shall certify that the fee, commission, allowance or other compensation fixed or approved is a reasonable award for the services rendered by the appointee"

The Rules of the Chief Judge, Parts 26 and 36, supplement and require more exacting particulars in such publicly available filings.

However the Eiseman letter does not state why, for many years, this deliberate default by members of judiciary has gone unremedied.

Neither does the Eiseman letter reveal what the Office of Court Administration intends to do in order to compel compliance and/or return of monies unlawfully awarded.

The awards made from the judicial trust assets of Puccini, as can best be estimated, total approximately \$1,000,000.

Such sum of \$1,000,000 is almost twice the amount which The New York Times reported on its front page of July 26, 1977, in connection with a similar, but less egregious scandal.

Such sum of \$1,000,000 is far more than the total amounts received as a result of approximately 100 appointments, which were made the subject of a front page report by The Daily News on December 8, 1988.

In the situations reported by The New York Times and The Daily News, there was no attempt to conceal -- and reports were filed, as required by law.

In the Puccini matter, there is an attempt to conceal by members of the judiciary -- by not filing, despite the mandatory nature of same.

In the situations reported by The New York Times and The Daily News, there was no indication that the awards made were not earned by the appointees involved.

In the Puccini matter, the recipients, for a multitude of legal and factual reasons, are not entitled to anything.

Feltman, Karesh, Major & Farbman, Esqs., who received most of such \$1,000,000, were never appointed by any judge or court, an absolute pre-condition for any award. In addition thereto, they never rendered any services which inured to the benefit of Puccini, or which was intended to benefit such judicial trust.

The almost \$1,000,000 received by Feltman, Karesh, Major & Farbman, Esqs., the law firm of the court-appointed receiver, further circumvented the legislative maximum fee that could be made to the court-appointed receiver (Bus. Corp. Law §1218).

The accounting firm of Rashba & Pokart, while judicially appointed to render services on behalf of Puccini, failed to reveal, as part of such appointment, that they were also the accountants for Kreindler & Relkin, P.C., the firm that engineered the larceny of Puccini's judicial trust assets.

Thus, while more than 9 years have elapsed since Puccini -- 'the judicial fortune cookie' -- was involuntarily dissolved, no accounting has been rendered, although an accounting must be filed "at least once a year" (22 NYCRR §202.52[e]).

That accounting, mandatory in every American jurisdiction, when rendered, will reveal the larceny and plundering of judicial trust assets, with judicial and official involvement, a situation that the legislative scheme was designed to prevent.

If the Chief Judge, the Office of Court Administration, the legislature, and other officials do not act, perhaps the media will compel 'obedience to the law'.

Most Respectfully,

GEORGE SASSOWER

cc: Hon. Sol Wachtler
John Eiseman, Esq.
The Media