In The
SUPREME COURT OF THE UNITED STATES
October Term, 1990
No. 90-

GEORGE SASSOWER,

Petitioner,

-against-

FIDELITY AND DEPOSIT COMPANY OF MARYLAND; LEE FELTMAN; FELTMAN, KARESH, MAJOR & FARBMAN; PUCCINI CLOTHES, LTD.; HYMAN RAFFE; A.R. FUELS, INC.; EUGENE DANN; ROBERT SORRENTINO; KREINDLER & RELKIN, P.C.; CITIBANK, N.A.; JEROME H. BARR; NACHAMIE, HENDLER & SPIZZ, P.C.; RASHBA & POKART; HOWARD BERGSON; IRA POSTEL; FRANCIS T. MURPHY; XAVIER C. RICCOBONO; MICHAEL J. DONTZIN; IRA GAMMERMAN; ALVIN F. KLEIN; DAVID B. SAXE; MARTIN H. RETTINGER; ISAAC RUBIN; DONALD DIAMOND; SOL WACHTLER; GEORGE C. PRATT; CHARLES L. BRIEANT; EUGENE H. NICKERSON; WILLIAM C. CONNER; ROBERT ABRAMS; ANDREW J. MALONEY; DENIS DILLON; and ALLYNE ROSS,

Respondents.

PETITION FOR A WRIT OF CERTIORARI TO THE CIRCUIT COURT OF APPEALS FOR THE FOURTH CIRCUIT

PETITION

> "... the imputation of knowledge, and its concomitant responsibility, may not be avoided by the simple expedient of closing one's eyes, covering one's ears, and holding one's breath" (Cohen v. Hallmark Cards, 45 N.Y.2d 493, 500, 410 N.Y.S.2d 282, 286, 383 N.E.2d 1145, 1149 [1978]).

"FRAUD, EXTORTION and CORRUPTION in the FOURTH CIRCUIT"

PRELIMINARY STATEMENT

The facts, some of which are set forth herein, compels the irresistible, albeit painful, conclusion that judicial corruption, of an egregious, indeed criminal, magnitude has firmly established itself in the Fourth Circuit.

This criminal racketeering adventure, born and nurtured elsewhere, has received the hospitality and succor of the Fourth Circuit.

The essential serious allegations made herein have been independently investigated, verified, and much of it published by the media.

The inevitable failure of this criminal racketeering adventure is foreordained, as the lapse of time produces only further extrajudicial publication.

QUESTIONS PRESENTED

1. Where the judiciary, for many years, has unconstitutionally "frozen" petitioner's substantial assets for unconstitutional reasons, including those of a contractual nature, which assets come under the protective umbrella of Article 1, §10[1] and Amendment V of the U.S. Constitution: (a) compelling petitioner to subsist on a quasi-poverty level; (b) impaired petitioner's ability to make proper judicial presentments; and (c) compelling petitioner to repeatedly make in forma pauperis applications, depriving thereby the sovereign of the lawful fees due it, is petitioner entitled to a writ of mandamus directing the CIRCUIT COURT OF APPEALS FOR THE FOURTH CIRCUIT [hereinafter the "respondent"] to take such expeditious action as will permit petitioner to convert his contractual based assets to a spendable form; (d) particularly where the inordinate delay itself, constitutes a constitutional impairment?

2. Should respondent issue a writ of mandamus directing the grant of an order on petitioner's injunction

motions which seeks: (a) possession of his unlawfully held property by District Attorney DENIS DILLON ["Dillon"] of Nassau County, New York; (b) access to public records privately held by N.Y. State Referee DONALD DIAMOND ["Diamond"]; and (c) nullification of the non-due process edicts of Administrator CHARLES L. BRIEANT ["Brieant"] of the U.S. District Court for the Southern District of New York, which <u>physically</u> excludes petitioner from the Federal Building and Courthouse in White Plains, New York, and access to his papers, all of which are necessary for a proper presentation of his actions?

3a. Where there are serious and uncontroverted allegations of: (a) attorneys betraying the legitimate interests of their clients; (b) representing conflicting interests, including government attorneys representing privately motivated interests which are opposed to their governmental employer; (c) attorneys receiving extortion monies, in the form of legal fees; and (d) other legal improprieties, must the respondent make an immediate, pre-decision, inquiry on the matter?

b. Where the aforementioned legal representative improprieties are a general fraudulent practice, not limited to the case at bar, should respondent be directed to make an immediate and expeditious inquiry?

4. At a time when this action [hereinafter "Action #1"] was assigned to Judge #2, and there was no reasonable prospect that Judge #1 would ever again perform an adjudicatory function involving petitioner, at which point in time petitioner filed Action #2 [Sassower v. Whiteford, Docket No. 90-],

which named Judge #1 as a Dennis v. Sparks (449 U.S. 24 [1980]) corrupted jurist; could Judge #1, the named Dennis v. Sparks (supra) jurist, be re-assigned or dragoon to himself Action #1 for determination?

5. Should the respondent be estopped from given recognition to all orders, decisions and opinions of the New York-Second Circuit judiciary, where petitioner has been barred from access to those courts for all and any legal relief, including coram nobis and Rule 60(b) relief; alternatively, must respondent be afforded an opportunity to show such New York-Second orders, decisions and opinions are void and invalid, jurisdictionally and constitutionally, and not entitled to any legal respect?

6. Where there is clear, decisive and uncontroverted, evidence of judicial corruption at the respondent tribunal, and unquestionably a course of judicial conduct which does not comport with the "appearance of justice", is any determination made by respondent void and invalid?

THE PARTIES

GEORGE SASSOWER
Petitioner
16 Lake Street,
White Plains, N.Y. 10603
(914) 949-2169

Whiteford, Taylor & Preston, Esqs.
Attys for Respondent & Respondent
Seven Saint Paul Street,
Baltimore, Maryland 21202-1626
(301) 347-8700

Quinn, Ward and Kershaw, P.A.
Attorneys for Respondents
113 West Monument Street,
Baltimore, Maryland 21201
(301) 685-6700

Eccleston & Wolfe, Esqs.
Attorneys for Respondents
729 East Pratt Street
Baltimore, Maryland 21202
(301) 725-7474

NYS AGA Carolyn Cairns Olson
Attorneys for Respondents
120 Broadway,
New York, New York 10271
(212) 341-2549

Semmes, Bowen and Semmes, Esqs.
Attorneys for Respondents
250 West Pratt Street,
Baltimore, Maryland 21201
(301) 534-5040

TABLE OF CONTENTS

Preliminary Statement	i
Questions Presented	ii
The Parties	iv
Table of Contents	v
Table of Authorities	v
Opinions Below	1
Jurisdiction	1
Constitutional-Statutory Provisions	1
Statement of the Case	8
Reasons for Granting the Writ	25
Certificate of Service	26
Appendix- Order Appealed from	A-1
Order Appealed from	A-7

TABLE OF AUTHORITIES

Aetna v. Lavoie 475 U.S. 813 [1986]	25
Averbach v. Rival 809 F2d 1016 [3rd Cir.-1987], cert. den. 482 U.S. 915 [1987]	23
Bloom v. Illinois 391 U.S. 194 [1968]	13
Klapprott v. U.S. 335 U.S. 601 [1949]	13, 18
Liljeberg v. Health Services 486 U.S. 847 [1988]	25
Lugar v. Edmondson 457 U.S. 922 [1982]	14
Moustakas v. Bouloukos 112 A.D.2d 981, 492 N.Y.S.2d 793 [2d Dept.-1985]	16
Nye v. U.S. 313 U.S. 33 [1941]	13
Raffe v. Doe 619 F. Supp. 891 [SDNY-1985]).	19, 21
Sassower v. Sheriff 824 F.2d 184 [2nd Cir.-1987]	17
Sassower v. Sheriff 651 F. Supp. 128 [SDNY-1986]	16, 17
Wood v Georgia 450 U.S. 261, [1981]	23

OPINIONS BELOW

The proceedings, as well as its manifest corruption, permeated the District Court, resulting in the decision and order of September 20, 1990 (A-1, A-7), and such corruption has firmly lodged itself in the respondent tribunal.

JURISDICTION

(i) Appeal pending "in" Circuit Court

(ii) None

(iii) Not Applicable

(iv) 28 U.S.C. §1254[1]

CONSTITUTIONAL-STATUTORY PROVISIONS

1. Article I, §8 of the U.S. Constitution provides that:

> "The Congress shall have the power [3] to regulate commerce ... among the several states ... [4] to establish ... uniform laws on the subject of bankruptcies throughout the United States. [9] to constitute tribunals inferior to the Supreme Court. [17] To exercise exclusive legislation in all cases whatsoever ... purchased ... other needful buildings. [18] To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof."

2. Article 1, §10[1] of the U.S. Constitution provides:

> "No state shall ... make ... any ... law, impairing the obligation of contracts ... ."

3. Article III of the U.S. Constitution provides:

> "§1 The judicial power of the United States, shall be vested in one Supreme Court and ... . §2[1] The judicial power shall extend in all cases, in law and equity, arising under this

Constitution ... between citizens of different states ... ."

4. Article IV, §2 of the U.S. Constitution provides that:

> "The citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states."

5. Article VI[2] of the U.S. Constitution provides that:

> "This Constitution and the Laws of the United States which shall be made in Pursuance thereof; ... shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."

6. Amendment I of the U.S. Constitution provides:

> "Congress shall make no law ... abridging the freedom of speech ... or the right of the people ... to petition the Government for a redress of grievances."

7. Amendment V of the U.S. Constitution provides:

> "No person shall ... be deprived of ... liberty, or property, without due process of law ...".

8. Amendment XIV[1] of the U.S. Constitution provides:

> "All persons ... are citizens of the United States ... . No state shall ... enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny any person within its jurisdiction the equal protection of the laws."

9. 28 U.S.C. §1254 provides:

> "Cases in the courts of appeals may be reviewed by the Supreme Court by the following methods: (1) By writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree; (2) ... ."

10. 28 U.S.C. §1651[a] provides:

> "The Supreme Court ... may issue all writs necessary or appropriate in aid of their respective jurisdiction and agreeable to the usages and principles of law."

11. 42 U.S.C. §1983 provides:

> "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State .... subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

12. Article 1, §8 of the N.Y. State Constitution provides:

> "Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press."

13. Article 1, §9[1] of the N.Y. State Constitution provides:

> "No law shall be passed abridging the rights of the people peaceably to assemble and to petition the government, or any department thereof ... ."

14. Article 1, §11 of the N.Y. State Constitution provides:

> "No person shall be denied the equal protection of the laws of this state or any subdivision thereof."

15. N.Y. Bus. Corp. Law §1202[b] provides:

> "A receiver shall be subject to the control of the court at all times and may be removed by the court at any time."

16. N.Y. Bus. Corp. Law §1204 provides:

"(a) A receiver, before entering his duties, shall: (1) Take and subscribe an oath that he will faithfully, honestly and impartially discharge the trust committed to him .... . (2) File with the clerk of such court a bond to the people ... ."

17. N.Y. Bus Corp. Law §1207 provides:

"[a] Upon appointment and qualification, a receiver shall have the following duties: ... [C](3) ... On or before the first day of February in each year, for the preceding calendar year, and at such other times as the court shall direct, the receiver shall file with the clerk of the court by which we has appointed a verified statement showing the assets received ...." [emphasis supplied]

18. N.Y. Bus Corp. Law §1213 provides:

"Upon notice to the attorney-general and upon such notice to creditors or others interested as the court shall direct, the court may, in the furtherance of justice, relieve a receiver from any omission or default, on such conditions as may be imposed, and, on compliance therewith, confirm his action."

19. N.Y. Bus. Corp. Law §1214[a] provides:

"Whenever he deems it to be the advantage of the shareholders, creditors or other persons interested in the assets of any corporation for which a receiver has been appointed, the attorney-general may move (1) For an order removing the receiver and appointing another in his stead; (2) To compel the receiver to account; (3) For such other and additional orders as may facilitate the closing of the receivership."

20. Business Corporation Law §1215 provides:

"(a) A receiver may petition the court appointing him for an order to show cause why he should not be permitted to resign.

(b) The petition shall be accompanied by a verified account of all the assets of the corporation received by him ... . Thereupon, the court shall grant an order directing notice to be given to the sureties on his official bond and to all persons

interested in the property of the corporation to show cause, at time and place specified, why the receiver should not be permitted to resign. ... [emphasis supplied]

21. N.Y. Bus. Corp. Law §1216[a] provides:

"Within one year after qualifying, the receiver shall apply to the court for a final settlement of his accounts ... . If the receiver has not so applied for a settlement of his accounts ... the attorney-general or any creditor or shareholder may apply for an order that the receiver show cause why an accounting and distribution should not be had, and after the expiration of eighteen months from the time the receiver qualified, it shall be the duty of the attorney-general to apply for such an order on notice to the receiver."

22. N.Y. Bus. Corp. Law §1217[a]:

"A receiver shall be entitled, in addition to his necessary expenses, to such commissions upon the sums received and disbursed as may be allowed by the court, as follows:

23. N.Y. Public Officers Law §28 provides:

"A receiver ... appointed by a court or judge, is a public officer, within the meaning of this article ... ."

24. Judiciary Law §35-a provides:

"1(a) 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, including but not limited to ... counsel ... or receiver, shall file a statement with the office of court administration on a form to be prescribed by the state administrator. The statement shall show ... . 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, or is fixed by statute ... . 3. The statements and reports required by this section shall be matter of public record and available for public inspection. ..."

25. Public Officers Law §20 provides:

"Where a public officer is required to give an official bond or undertaking, and special provision is not made by law for the prosecution of the bond or undertaking, by or for the benefit of a person who has sustained by his default, delinquency or misconduct, an injury, for which the sureties upon the bond or undertaking are liable ..... "

26. Public Officers Law §28 provides:

"A receiver, an assignee of an insolvent debtor, or a trustee or other officer, appointed by a court or judge, is a public officer, within the meaning of this article; but where he was appointed by or pursuant to the order of a court, or in proceeding supplementary to execution against property, the application for leave to prosecute his official bond or undertaking must be made by which, or pursuant to whose order, he was appointed, or in which the judgment was rendered, as the case may be."

27. 22 NYCRR §26.2 provides:

"Any judge or justice who has approved compensation of more than $200 to a court appointee shall file with the administrative office for the courts, on the first business day of the week following approval, a statement of compensation required by this section.

28. 22 NYCRR §26.4 provides:

"The judge or justice approving compensation shall certify that the compensation approved by statute or, if not, is a reasonable award for the services performed is fixed by statute, the judge or justice shall specify the statutory fee and the section of the statute authorizing the payment of the fee."

29. 22 NYCRR §26.5 provides:

"A request for information regarding a filed statement must be made to the Office of Court Administration ... in writing ..."

30. 22 NYCRR §36.1 provides:

"(a) All appointment of ... receivers and persons designated to perform services

for a receiver ... (c) No person or institution shall be eligible to receive more than one appointment within a 12-month period for which the compensation anticipated to be awarded to the appointee exceeds the sum of $5,000 ...

31. 22 NYCRR §36.3 provides:

"(a) Every person and institution receiving an appointment ... shall file notice of appointment with the Chief Administrator of the Courts ... .

32. 22 NYCRR §36.4 provides:

"(a) Fees to appointees pursuant to this rule shall not exceed the fair value of the services rendered.

(b) Each award of fees of $2,500 or more to appointees pursuant to this section shall be accompanied by an explanation, in writing, of the reasons therefor by the judge making the award."

33. 22 NYCRR §202.52[e] provides:

"Receivers shall file with the court an accounting at least once each year."

34. 22 NYCRR §660.24 provided:

"... no order or judgment providing for the appointment of a referee, receiver, person designated to accept service ... or person designated to perform services for a receiver such as but not limited to an agent, accountant, attorney, auctioneer, and appraiser ("appointee"), shall be entered, unless and until the following has been completed: ... [f] Any appointment made without following the procedures provided in this section, shall be null and of no effect and no person so appointed shall be entitled to recover any compensation for the services rendered or claimed to have been rendered."

35. N.Y. CPLR §4317(b) provides:

"Without consent of the parties. On motion of any party or on its own initiative, the court may order a reference to determine a cause of action or an issue where the trial will require the examination of a long account, including actions to foreclose mechanic's liens; or to determine an issue of damages separately triable and not requiring a trial by jury; or where otherwise authorized by law."

36. Judiciary Law §90[2] provides:

> "The ... the appellate division of the supreme court in each department is authorized to censure, suspend and practice or remove from office any attorney and counsellor-at-law admitted to practice who is guilty of professional misconduct, malpractice, fraud, deceit, crime or misdemeanor, or any conduct prejudicial to the administration of justice ...

37. 22 NYCRR §691.2 provides:

> "Any attorney who fails to conduct himself, either professionally or personally, in conformity with the standards of conduct imposed upon members of the bar as conditions for the privilege to practice law, and any attorney who violates any provision of the rules of this court governing the conduct of attorneys, or any disciplinary rule of the Code of Professional Responsibility, as adopted by the New York State Bar Association, as amended to May 1, 1978, or any canon of the Canons of Professional Ethics, as adopted by such bar association, or any of the special rules concerning court decorum, shall be deemed to be guilty of professional misconduct within the meaning of subdivision (2) of section 90 of the Judiciary Law."

38. DR 1-103A of the Code of Professional Responsibility provides:

> "A lawyer possessing unprivileged knowledge of a violation of DR 1-102 shall report such knowledge to a tribunal or other authority empowered to investigate or act upon such violation."

STATEMENT OF THE CASE
"THE COINS OF THE JUDICIAL REALM"

THE NEW YORK-SECOND CIRCUIT JUDICIAL FORUMS.

THE "ESTATE CHASING" RACKET:

1a. The involuntary dissolution of PUCCINI CLOTHES, LTD. ["Puccini"] arose out of the common practice wherein banks and trust institutions initiate needless legal proceedings or churn such proceedings, in order to siphon monies from the

judicial trust to "estate chasers" or their designees, who almost invariably are attorneys.

b. The more liberal the siphoning process from the helpless judicial trusts -- constitutional "persons" -- to "estate chasers", the greater the incentive for attorneys to designate that particular and less ethical financial institution as the executor and/or trustee in the wills and trusts of their clients.

c. Thus, judicial time and resources are expended to aid and abet the plundering of judicial trusts to compensate "estate chasers", such practices receiving the succor of the judiciary.

2a. An unintended result of such siphoning scenario by CITIBANK, N.A. ["Citibank"] was the involuntary dissolution of Puccini, which was rendered without a trial or a hearing.

b. Where, as here, there exists an entity with substantial assets, the judiciary almost invariably is driven to arrive at a result which permits it to make appointments, thus satisfying political and personal obligations of the judiciary.

c. Thus, the judicial trust, a constitutional "person" simply becomes another "judicial fortune cookie".

THE COURT-APPOINTED RECEIVERSHIP RACKET:

3a. Citibank, as a co-executor, expended a substantial sum of monies from the estate to lavishly over-compensate KREINDLER & RELKIN, P.C. ["K&R"], the firm in which the "estate chaser" was associated, resulting in the further

diminishing the equity of the estate since the estate was a stockholder in Puccini.

b. Since the aforementioned self-defeating proceeding would not be justified, Citibank and K&R, by self-help, attempted to reverse the process, and engineered the larceny of Puccini's judicial trust assets.

4a. Citibank and K&R then corrupted the court-appointed receiver, LEE FELTMAN, Esq. ["Feltman"], and promised him the balance of Puccini's tangible trust assets, provided he concealed their larceny and made no attempt at recovery on behalf of his trust.

b. Since Feltman's maximum's compensation is limited by statute (Bus. Corp. Law §1217), they agreed that such balance would be transferred to his law firm, FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. ["FKM&F"], under the guise of fictitious legal services, although it was not intended that they render any services intended to benefit Puccini -- nor in fact did they ever render any such services.

c. However, whether they rendered services which benefitted Puccini or not, since FKM&F were not appointed by the Court, and certainly not pursuant to the procedures set forth in 22 NYCRR §660.24[f], they were not entitled to any compensation.

5a. To conceal the K&R-Citibank larceny, Feltman had the Court designate RASHBA & POKART ["R&P"], as Puccini's accountant, without revealing that R&P were the accountants for K&R, and that a co-conspirator of K&R-Citibank had stolen $10,000 from Puccini's trust assets, paid $6,200 to R&P in payment of a

K&R-Citibank indebtedness, keeping for itself $3,800, as a "laundering fee".

b. However, the larceny was so massive that R&P could not conceal same, nor render any accounting.

c. In the interim, K&R, Citibank, and their co-conspirators, inundated the forum with vehement denials about any larceny of Puccini's judicial trust assets, and that all its judicial trust assets were unimpaired.

6a. On November 7, 1983, the initial "hard evidence" of the larceny surfaced, and in the weeks and months that followed the evidence the massive extent of same reached avalanche proportions.

b. Petitioner, as was his professional obligation (DR 1-103 of the Code of Professional Responsibility) and constitutional right (Amendment I, U.S. Constitution), turned over his evidence to NY State Attorney General ["NYS AG"] ROBERT ABRAMS ["Abrams"], Puccini's statutory fiduciary (e.g. Bus. Corp. Law §1214[a], §1216[a]), unaware at the time of the corrupt understanding that existed by and between himself and Presiding Justice FRANCIS T. MURPHY ["Murphy"] of the Appellate Division of the First Judicial Department.

c. Promptly, petitioner moved in the state court to rescind all the prior judicial events based upon the fraud and perjury of the K&R-FKM&F co-conspirators, and petitioner, as an attorney, also commenced an action in the U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK, entitled "HYMAN RAFFE, individually and on behalf of PUCCINI CLOTHES, LTD.", which

action was assigned to U.S. District Judge EUGENE H. NICKERSON ["Nickerson"].

d. Ex parte, FKM&F on behalf of themselves and their co-conspirators, made their private corrupt arrangements with Administrative Judge XAVIER C. RICCOBONO ["Riccobono"] of the Supreme Court of the State of New York, County of New York, Murphy's subordinate who, although not directly involved in the matter, ex parte appointed Referee DONALD DIAMOND ["Diamond"].

e(1) When all of Puccini's fiduciaries, including Feltman and Abrams, in the state and federal forums, invariably took positions contrary to Puccini, petitioner's confidential information of "judicial fixes" had objective confirmation.

(2) Thus, when petitioner moved on behalf of Puccini, in the state and federal forums, to have its assets made the subject of larceny by K&R and Citibank, returned to the "helpless judicial trust", it was not supported or was opposed by Puccini's fiduciaries, including Abrams and Feltman.

7a. By virtue of, inter alia, the confidential information that petitioner conveyed to the Abrams Office, Puccini's watchdog, concerning judicial corruption, the judiciary unleashed a "reign of terror" upon petitioner, HYMAN RAFFE ["Raffe"], and thereafter SAM POLUR, Esq. ["Polur"], which included: "phantom" judgments on which bank deposited assets were seized; orders directing the Sheriff of Westchester County to "break into" petitioner's apartment, and "seize all word processing equipment, software, and inventory his possessions"; and repeated trialess, without live testimony, convictions for

non-summary criminal contempt, state and federal, accompanied by fines and/or sentences of incarceration.

b. The aforementioned repeated trialess, without live testimony, state and federal, convictions were made despite the holdings in Bloom v. Illinois (391 U.S. 194 [1968]); Klapprott v. U.S. (335 U.S. 601 [1949]); and Nye v. U.S. (313 U.S. 33 [1941]), which held, inter alia, that non-summary criminal contempt comes under the protective umbrella of Amendment V and XIV of the U.S. Constitution.

c. These manifestly unconstitutional convictions, fines and incarcerations were made in order to advance the aforementioned private motivated criminal judicial racket and compel silence about its existence.

d(1) An omnipresent problem faced by Feltman and his con-conspirators was the inability to file an accounting for the judicial trust assets of Puccini, a mandatory requirement in every American jurisdiction.

(2) In New York, such accounting by the receiver must be filed "at least once a year" (22 NYCRR §202.52[e]).

(3) Abrams, the Attorney General, must, as a mandatory "duty", permitting no discretion whatsoever, make application for an accounting if not voluntarily rendered after the expiration of eighteen (18) months (Bus. Corp. Law §1216[a]).

(4) Notwithstanding the aforementioned, in the more than ten (10) years since Puccini was involuntarily dissolved, not a single accounting has been filed, nor any application made to compel such accounting by Abrams.

(5) All of the aforementioned with the knowledge and consent of Hon. SOL WACHTLER ["Wachtler"], Chairman of the NEW YORK STATE ADMINISTRATIVE BOARD OF THE OFFICE OF COURT ADMINISTRATION ["OCA"], who through the Chief Administrator is responsible for the administration of the courts, including for the Judiciary Law §35-a filings.

8. The significant trialess, without live testimony, convictions for non-summary criminal contempt were as follows:

a(1) U.S. District Judge EUGENE H. NICKERSON ["Nickerson"] found petitioner and Raffe guilty of non-summary criminal contempt, imposed substantial fines payable, in haec verba, "to the [federal] court".

(2) These substantial fine monies were diverted from the federal court to the private pockets of K&R and Citibank, and remains in their private pockets, with the knowledge and consent of Chief Judge JAMES L. OAKES ["Oakes"], former Chief Judge WILFRED FEINBERG ["Feinberg"], former Chief Judge IRVING R. KAUFMAN ["Kaufman"] and Circuit Judge THOMAS J. MESKILL ["Meskill"].

b. N.Y. State Judge DAVID B. SAXE ["Saxe"] convicted petitioner and had him incarcerated for asserting that CPLR §5222[c] was violative of the U.S. Constitution, an assertion which unquestionably was correctly asserted (Lugar v. Edmondson, 457 U.S. 922 [1982]).

c(1) N.Y. State Justice ALVIN F. KLEIN ["Klein"], in one document, convicted and sentenced (1) petitioner, (2) Raffe

and (3) SAM POLUR, Esq. ["Polur"] to be incarcerated for thirty (30) days.

(2) Petitioner and Polur served their full terms of incarceration, Raffe "paid-off" FKM&F, very substantial monies, and was never incarcerated.

(3) Threatened with disciplinary proceedings as a result of such trialess conviction, Polur left the scene of litigation, at which point the disciplinary proceedings were dropped.

d. In this state-federal criminal adventure in the New York-Second Circuit, the aforementioned trialess convictions were affirmed by the Murphy Appellate Division and the Second Circuit Court of Appeals.

9a. During the same period, under the same trialess without live testimony scenario, Referee Diamond found petitioner guilty of sixty-three (63) counts of non-summary criminal contempt, and in a mirrored Report found Raffe guilty of seventy-one (73) counts.

b. Referee Diamond recommended that petitioner be fined $15,750 and incarcerated for sixty-three (63) months, while Raffe be fined $17,750 and incarcerated for seventy-one (71) months.

c. With petitioner and Polur incarcerated, K&R and FKM&F -- "the criminals with law degrees" -- and Referee Diamond negotiated with Raffe, a man over the age of seventy (70) directly, albeit unlawful and contrary to the Code of

Professional Responsibility (Moustakas v. Bouloukos, 112 A.D.2d 981, 492 N.Y.S.2d 793 [2d Dept.-1985]).

d(1) As independently investigated, reported and published in, inter alia, the Village Voice (June 6, 1989) by Mr. JONATHAN FERZIGER ["Ferziger"] of UNITED PRESS, INTERNATIONAL ["UPI"]:

> "By signing three extraordinary agreements in 1985, however, Raffe agreed to foot all legal costs incurred by Feltman's firm and Citibank's lawyers, Kreindler & Relkin, for defending against Sassower. In exchange, the court agreed to let him go free. The tab so far has come to more than $2.5 million, paid to both the Feltman and Kreindler firms. Raffe continues to pay with checks from his A.R. Fuels Co. business. `That's outrageous. It's unbelievable. It's disturbing. ... .' Said Attorney General Abrams when he saw copies of the checks. Abrams is the statutory watchdog over court-appointed receivers like Feltman."

(2) Since such verification more than two (2) years ago, many more millions have been extorted by the "indulgence peddlers", although they do not represent Raffe's legitimate interests.

(3) As long as Raffe keeps paying he will not be incarcerated, and so the written agreement provides.

(4) So Raffe pays, pays and pays, to these "judicial indulgence peddlers" under continuous threats that he will be incarcerated, as was plaintiff, if he refuses.

e. Plaintiff who refuses to even negotiate with these criminals, whatever the personal cost, was incarcerated until released under a federal writ of habeas corpus (Sassower v. Sheriff, 651 F. Supp. 128 [SDNY-1986]).

f. Although there probably was never any more defective criminal contempt proceedings in Anglo-American judicial history, FKM&F and Abrams appealed.

g(1) Despite the numerous jurisdictional and constitutional infirmities, the Circuit Court reversed, in an opinion which totally fabricated the facts (Sassower v. Sheriff, 824 F.2d 184 [2nd Cir.-1987]).

(2) For example, there is not a scintilla of evidence to support the deliberately fabricated, contrived and concocted statements in of the panel of Circuit Judge GEORGE C. PRATT ["Pratt"] that:

> "Sassower refused to appear at a hearing before the court appointed referee" [p. 185] ... "Sassower was notified by the attorney for the receiver that he was required to appear before the referee for proceedings on the criminal contempt motion and cross-motions." [p. 187]. ... "[Sassower] failed to appear." [p. 187]... "the opportunity for a hearing that was afforded was appropriate under the circumstances" [p. 189]... "Sassower was ... given a reasonable opportunity to be heard" [p. 189] ... "Sassower ... waived that right [to a hearing] by failing to appear" [p. 190] ... "he [Sassower] has repeatedly refused to appear before Referee Diamond" [p. 190] ... "explicitly warned him [Sassower] of the consequences of his failure to appear before the referee" [p. 190].

(3) On the contrary, the Record reveals the following before U.S. Magistrate NINA GERSHON (Sassower v. Sheriff, 651 F. Supp. 128 [supra]):

> "THE MAGISTRATE: I am correct that there is nothing in the record that indicates one way or the other as to whether or not Mr. Sassower was [invited] to appear, did appear, waived his right to appear, didn't show up or anything of the kind. He says on the documentary evidence he finds that the petitioner is guilty. Is that not correct?
>
> MR. SCHNEIDER [FKM&F]: There is nothing in the record ... .

MR. SASSOWER: Referee Diamond said repeatedly: No hearing is required. ... Referee Diamond said [in his Report] ad nauseam: no hearing is required. A plea of not guilty is tantamount to a general denial and raises no triable issues of fact. The criminal procedure law of the State of New York states a plea of not guilty is a plea of not guilty as to each and every count of the indictment or the information. [emphasis supplied]

MR. SCHNEIDER: That is the whole point of this proceeding, your Honor, it is not a proceeding under the penal law. This is a civil proceeding under the judiciary law.

THE MAGISTRATE: Whatever you label it he is entitled to the provisions of the United States Constitution whether it comes under the judiciary law or the penal law. ..."

(4) Indeed the reported decision of Magistrate Gershon shows that there was no live testimony, not contradicted by the Judge Pratt opinion, rendering the proceeding jurisdictionally defective (Klapprott v. U.S., supra).

h. While the proceedings were pending, sub judice, at the Circuit Court, plaintiff learned of the "extortion" payments being made by Raffe, including underwriting, at extravagant rates these contempt proceedings against plaintiff, and also that the "final accounting" which was to "approved" by Referee Diamond was non-existent and phantom, and so by formal motion, so advised the Court.

i. For exposing such extortion payments being made by Raffe in lieu of incarceration, the Judge Pratt panel assessed costs against plaintiff of $250.

j. Notwithstanding the aforementioned sanctions for disclosing the existence of such extortion payments, payments which are also made in the judicial bailiwick of Chief Judge SAM

J. ERVIN, III ["Ervin"], keeps exposing same, including to the media.

k. In addition to agreeing to make such extortion payments to FKM&F, at pains of incarceration if he failed, Raffe had to effectively surrender all his vast interests in Puccini, agree to execute releases to the federal and state jurists in New York, Abrams, and the "criminals with law degrees" and their other co-conspirators, and discontinue his appeal from the Order of U.S. District Judge WILLIAM C. CONNER ["Conner"] of the Southern District of New York (Raffe v. Doe, 619 F. Supp. 891 [SDNY-1985]).

l. Plaintiff was not a party to the Judge Conner proceedings, nor were his interests placed in issue, but since His Honor's criminal patrons could not account, he was corrupted to issue an Order prohibiting the making of an application to compel an accounting.

m. In addition, Judge Conner was employed by "the criminals with law degrees" to fix cases before other jurists involving plaintiff, until he was "caught" when he attempted to simultaneously "fix" a number of jurists by a written memorandum which came into plaintiff's possession.

10a. The essential fact is that there is no accounting for Puccini's judicial trust assets, Referee Diamond "approved" a "final accounting" which does not exist -- it is "phantom".

b. For agreeing to become a part of such judicial fraud, Referee Diamond discharged F&D on its bond, in an ex parte

proceeding in which petitioner was not a permitted to participate.

c. In addition to having no authority for such matters, plaintiff was not served with notice for same, was not permitted to participate in same, all of which were held in the non-public courtroom of Referee Diamond, where there are no hearings or trials, only "pay-offs".

d. To assure that these New York-Second Circuit decisions are made invulnerable from attack, access to the state and federal courts have been denied to plaintiff, even for coram nobis and Rule 60(b) relief.

11. To assure that plaintiff in unable to make a proper presentation, Judge Brieant, without any notice or due process, has physical excluded plaintiff from the Federal Building and Courthouse at White Plains, New York; plaintiff has been physical excluded from the non-public courtroom of Referee Diamond, and District Attorney DENIS DILLON ["Dillon"] unlawfully seized and wrongfully has in his control plaintiff's `data discs" and essential legal papers.

12a. Having caused Raffe to succumb, the co-conspirators caused legal notices to be published in the New York Times and New York Law Journal that a Feltman "final accounting" would be "approved" by Referee Diamond, although he had no legal authority for such approval, and petitioner was not served with notice, as required by law.

b. Since a bankruptcy filing by petitioner was inevitable, by reason of the economic in terrorem tactics being

imposed on petitioner, petitioner chose such time as appropriate for his bankruptcy filing.

c. Petitioner's bankruptcy filing, vested his assets, including his contractually based judgment in the District Court, and aborted this sham "approval" of a "phantom", non-existent", non-existent", "final accounting".

d. In addition, petitioner obtained a cornucopia amount of written material of judicial corruption, state and federal, including the documents which states that as long as Raffe keeps making "extortion" payments to the cronies of the judiciary, he will not be incarcerated.

13a. Since Feltman could not account without exposing the extant judicial corruption, state and federal, K&R and FKM&F by corrupted U.S. District Judge WILLIAM C. CONNER ["Conner"], in an action in which petitioner was not a party, and without a trial, hearing, or pre-trial discovery or disclosure, enjoined petitioner and Raffe from any and all relief against Feltman and his co-conspirators (Raffe v. Doe, supra).

b. Three (3) years later, under a corrupt federal and state criminal scenario, this "phantom" accounting was approved by Referee Diamond, the bonding company was discharged, all without due process to petitioner.

c. Consequently, the cronies of the judiciary in the New York-Second Circuit took all of Puccini's assets, leaving the nothing for its legitimate stockholders and creditors.

d(1) Quintessential for this and other judicial frauds,

was and is the conduct of NYSAG Abrams and his office, the statutory fiduciary for Puccini and other similar trusts.

(2) Abrams, the fiduciary, not only consented to the "approval" of the "phantom" "final accounting" and the approval of the discharge of the receiver's bond by Referee Diamond, but also represents Referee Diamond and the other corrupt state jurist, in this and similar rapes of judicial trust assets.

JUDICIAL CORRUPTION IN THE FOURTH CIRCUIT:

14a(1) A summons was issued on March 1, 1990 against Feltman's surety company, FIDELITY & DEPOSIT COMPANY OF MARYLAND ["F&D"], and on March 20, 1990, the absolute minimum time necessary for plaintiff to move for summary judgment (FRCivP, Rule 56[a]), plaintiff so moved, to which there was no defense, then, thereafter, or now.

(2) The only legal, ethical and proper course of conduct for WHITEFORD, TAYLOR & PRESTON, Esqs. ["WT&P"], the attorneys for F&D, was for that firm to implead the financially LEE FELTMAN ["Feltman"] and his affluent co-conspirators (FRCivP, Rule 14), and effectively "walked away" from the case, without any further expense to its client.

(3) Instead WT&P, after communicating with FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. ["FKM&F"], agreed to actively participate in the perpetration of a judicial fraud, which included thrusting upon the forum U.S. District Judge JOHN R. HARGROVE ["Hargrove"], orders and decisions which they had actual knowledge were null, void, legally worthless and of no effect, particularly as against affirmant; imposing upon the court false

and deceptive hearsay statements (cf. FRCivP, Rule 56[e]); aborting all discovery and disclosure by plaintiff, and otherwise proceeding in an unethical, if not unlawful, manner, all of which was contrary to the legitimate interests of F&D (Averbach v. Rival, 809 F2d 1016 [3rd Cir.-1987], cert. den. 482 U.S. 915 [1987]; Wood v Georgia, 450 U.S. 261, 265 n. 5 [1981]).

b(1) QUINN, WARD and KERSHAW, P.A. ["QW&K"] simultaneously represents the court-appointed receiver, who owes fiduciary obligations to his judicial trust, and those who raped and ravished all the assets of said judicial trust.

(2) Their compensation is being "criminally extorted" from Raffe in consideration for not being incarcerated under the trialess conviction of Mr. Justice ALVIN F. KLEIN ["Klein"] and the trialess Report of Referee DONALD DIAMOND ["Diamond"], as was petitioner.

(3) Although the fees of QW&K are extorted and comes from Raffe, their conduct is adverse to his legitimate interests.

c. SNITOW & PAULEY, Esqs. ["S&P"], represented by SEMMES, BOWEN and SEMMES, Esqs. ["SB&S"], who also represent HOWARD BERGSON, Esq. ["Bergson"], also receive Raffe monies.

d. ECCLESTON & WOLFE, Esqs. ["E&W"], who represent the court-appointed accountants for Puccini, RASHBA & POKART ["R&P"], and are judicial fiduciaries actually know that all Puccini's assets were made the subject of larceny and unlawfully plundering, receiving a portion of same for concealing same, have

also received substantial monies "extorted" from Raffe for not being incarcerated.

e(1) Assistant N.Y. State Attorney General, CAROLYN CAIRNS OLSON, Esq. ["Olson"], from the Office of Attorney General ROBERT ABRAMS ["Abrams"], Puccini's statutory fiduciary, is supposed to protect the interests of his statutory trust, but simultaneously represents those state jurists and officials who are being "paid-off" by the primary participants in such larceny.

(2) There was served upon this Court affirmant's Notice of November 27, 1990 which advised this Court that there:

> "was no response or protective motion made to the annexed Notice to Admit served upon N.Y. State Attorney General ROBERT ABRAMS."

(3) Such Notice to Admit, speaks eloquently and loudly the manner by which creditors in the entire United States, including in the Fourth Circuit, are being deprived of their legitimate assets by "thieves" operating under "color of law".

f(1) Petitioner is unaware of any matter where the U.S. Attorney's Office represented officials charged with criminal conduct.

(2) The obligation of the U.S. Attorney General's Office is to prosecute those who violate the criminal code of the United States and also recover the monies payable "to the federal court" but diverted to the private pockets of K&R and Citibank.

15. Assigning to Judge Hargrove or the dragooning of an action by Judge Hargrove to himself, where Judge Hargrove is a named corrupted jurist, which would never have occurred unless

there was a pre-arranged consent by the Circuit Court for such manifestly unconstitutional and sham procedure.

REASONS FOR THE GRANT OF THIS WRIT

The final and concluding statements, without more, clearly reveals that the Fourth Circuit Court of Appeals has been corrupted, and that any orders issued by that Court in this matter are a nullity (Liljeberg v. Health Services, 486 U.S. 847 [1988]; Aetna v. Lavoie, 475 U.S. 813 [1986]).

Further evidence of corruption in the Fourth Circuit, will appear in related motions to this Court.

The longer it goes uncorrected, the more jurists will become enveloped and corrupted by misconduct originating in the Second Circuit.

Absent corrective action by this Honorable Court, the remedy, and concomitant disgrace, will be with the media, the public and Congress.

Dated: February 28, 1991

Respectfully submitted,

GEORGE SASSOWER
Petitioner, pro se.
16 Lake Street,
White Plains, N.Y. 10603
(914) 949-2169

CERTIFICATION OF SERVICE

On March 1, 1991, I served a true copy of this Petition by mailing same in a sealed postage paid envelope, first class, addressed to Hon. Kenneth W. Starr, U.S. Solicitor General, 10th & Constitution Ave., Washington, D.C. 20530; Whiteford, Taylor & Preston, Esqs., Seven Saint Paul Street, Baltimore, Maryland 21202-1626; Quinn, Ward and Kershaw, P.A., 113 West Monument Street, Baltimore, Maryland 21201; Ass't. N.Y.S. Atty. Gen. Carolyn Cairns Olson, 120 Broadway, New York, New York 10271; Semmes, Bowen and Semmes, Esqs., 250 West Pratt Street, Baltimore, Maryland 21201; and Eccleston & Wolfe, Esqs., 729 East Pratt Street, Baltimore, Maryland 21202, at their last known addresses.

Dated: March 1, 1991

GEORGE SASSOWER
Petitioner, pro se
16 Lake Street,
White Plains, N.Y. 10603
(914) 949-2169

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

GEORGE SASSOWER, *

Plaintiff *

v. * CIVIL ACTION NO. HAR-90-322

FIDELITY AND DESPOSIT INSURANCE COMPANY OF MARYLAND, et al., *

Defendant *

* * * * * * * * * * * * * * * * * * * *

GEORGE SASSOWER, *

Plaintiff *

v. * CIVIL ACTION NO. HAR-90-1937

WHITEFORD, TAYLOR & PRESTON, et al., *

Defendants *

filed: September , 1990

MEMORANDUM OPINION

Plaintiff George Sassower ("Sassower") has filed two separate complaints with this Court. Each complaint names many of the same Defendants and apparently arises out of the same set of circumstances. Therefore, these actions are consolidated and will be treated for all purposes as one case. This Court now reviews the complaints filed by Sassower. For a litany of reasons, this Court dismisses these actions with prejudice.

Plaintiff's history of filing suits against many of the listed Defendants is both long and well-documented. See, e.g., George

Sassower v. Dosal, __ F. Supp.__ (D. Minn. 1990), No.4-90-971, slip op. (D. Minn. Sept. 5, 1990); Polur v. Raffe, 727 F. Supp. 810 (S.D.N.Y. 1989); Raffe v. John Doe, 619 F. Supp. 891 (S.D.N.Y. 1985); Sassower v. Sansverie, 885 F.2d at 10; Raffe v. Citibank, N.A. (88 Civ. 305) (E.D.N.Y. Aug. 1, 1988,) aff'd mem, 779 F.2d 37 (2d Cir. 1985).

Sassower's lawsuits have become so common that in 1987 the Second Circuit Court of Appeals stated that it was "loath [sic] to expend more judicial resources on this vexatious litigant." Sassower v. Sheriff of Westchester County, 824 F.2d 184 (2d Cir. 1987). That court noted that "despite court orders disqualifying him from representing Raffe and enjoining him from filing Puccinni-related litigation ... Sassower has bombarded both the state and federal courts with numerous motions (over 300), lawsuits (35), Article 78 proceedings (40) directed against the receiver and his law firm, the attorneys for the other Puccinni shareholders, various members of the judiciary, court appointed referees, and the New York State Attorney General." Id., 824 F.2d at 186. Up to that point, Sassower had been held in criminal contempt four times and in civil contempt twice for violating state and federal orders. Id.

Sassower's repeated suits against these Defendants directly lead to his disbarment by the United States Supreme Court, New York, and the federal bar.[1] In disbarring Sassower, these courts

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[1]/ See, In the Matter of Disbarmentof George Sassower, 481 U.S. 1045 (1987); In re Sassower, 700 F. Supp. 100 (S.D.N.Y.); In re Sassower, 512 N.Y.S.2d 203 (198); In re Sassower N.Y.L.J.,

A-2

found that he had disregarded court orders and had engaged in "frivolous and vexatious litigation ... for the purpose of harrassing, threatening, coercing and maliciously injuring those made subject to it." Id. (citation omitted). See also, Dosal, slip op. at 1.

I.

Turning to the merits of Sassower's actions presently before this Court, we find nothing to distinguish these suits from the numerous claims which he has previously brought and which have been summarily dismissed. Sassower's claims provide us with numerous grounds for dismissal.

First, the cases at bar are both frivolous and wholly without merit. Sassower asserts a federal claim under 42 U.S.C. § 1983. However, following a complete and thorough review of his complaints, this Court fails to find any indication of state action requisite to bringing suit under this section. Finding no merit to Sassower's federal claims, the Court also notes that the state claims asserted are dismissed for lack of jurisdiction as no diversity of citizenship exists among the parties. 28 U.S.C. § 1332. Having fully reviewed these claims, the Court finds them totally lacking in merit.[2]

Feb. 27, 1987, at 36, col. 3 (2d Dep't Feb. 23, 1987)(per curium).

[2] Sassower's complaint also fails to comply with the requirements of Fed. R. Civ. P. 8(a), which states that "a pleading which sets forth a claim for relief...shall contain...(2) a short and plain statement of the claim showing that the pleader is entitled to relief...". His 101 page complaint is both rambling and incomprehensible.

A-3

Second, given that Sassower already has brought the same claims against many of the same defendants in other jurisdictions, he is estopped from again litigating these claims under the doctrine of res judicata and/or issue preclusion under collateral estoppel.

Third, in Raffe v. John Doe, 619 F.Supp. 891 (D.C.N.Y. 1985), the court permanently enjoined Sassower from "filing or serving, or attempting to intervene in or initiate any action or proceeding in any federal court or tribunal against" a number of the defendants he attempts to sue in the cases at bar. The specifically named defendants are: Lee Feltman; Karesh, Major & Farbman[3]; Puccini Clothes, Ltd.; Citibank, N.A.; Jerome H. Barr; Kreindler & Relkin, P.C.; Nachamie, Hendler & Spizz, P.C.[4]

In addition, the injunction forbids Sassower from bringing suit in federal court against "any representative, member, employee, associate, or affiliate of any of the above parties, the subject matter of which arises out of or relates to" several matters detailed in Raffe v. John Doe, 619 F. Supp. 891 (D.C.N.Y. 1985). See also Cohen v. Vilella, 88 Civ. 0621 (ERK). The matter before this Court appears to be related to these previously litigated issues. Further, many of the other defendants Sassower has named in the cases at bar fall into this category of persons.

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[3] The injunction listed "Feltman, Karesh & Major". This Court assumes that Defendant "Karesh, Major & Farbman" is a successor to that firm.

[4] The injunction listed "Arutt, Nachamie, Benjamin, Lipkin & Kirschner, P.C." This Court assumes that Defendant "Nachamie, Hendler & Spizz, P.C." is a successor to that firm.

A-4.

Fourth, Sassower has violated Local Rule 102(1)(b)(ii), which states that "[i]f a pro se plaintiff resides outside of the District, that party shall keep on file with the Clerk an address within the District where notices can be served." Further, the rule states that if any pro se litigant fails to comply with the rule, the Court may enter an order dismissing any affirmative claims for relief filed by the party. Id. Sassower, a pro se plaintiff who resides outside of the district, has not kept on file with the Clerk an address within the District where notices can be served.

Furthermore, many of the named defendants are immune from suit. Defendant Dillon, the Nassau County District Attorney, has absolute immunity because Sassower's claims against him arise from acts falling within prosecutorial functions. See Groff v. Eckman, 525 F. Supp. 375 (E.D. Pa. 1981). Defendants Murphy, Riccobono, Dontzin, Gammerman, Klein, Saxe, Rettinger, Rubin, Diamond, and Wachtler are all New York state judges and are therefore absolutely immune from Sassower's suit for money damages.

Many other grounds also warrant dismissal in this case, but are simply too numerous to discuss here.[5] Sassower's persistent abuse of the litigation process and his continued efforts to harrass the defendants by bringing the cases at bar lead this court to enjoin Sassower from filing suits in this Court against the same defendants and relating to the same subject matter of these cases.

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[5] These grounds include improper venue, and absence of personal jurisdiction over defendants, to name a few.

Defendants' motions for dismissal are granted. It will be so ordered.

9/30/96
Date

John R. Hargrove
United States District Judge

A-6.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

GEORGE SASSOWER,	*	
Plaintiff	*	
v.	*	CIVIL ACTION NO. HAR-90-322
FIDELITY AND DESPOSIT INSURANCE COMPANY OF MARYLAND, et al.,	*	
Defendant	*	
	*	

GEORGE SASSOWER,	*	
Plaintiff	*	
v.	*	CIVIL ACTION NO. HAR-90-1937
WHITEFORD, TAYLOR & PRESTON, et al.,	*	
Defendants	*	

ORDER

For the reasons set forth in the foregoing Memorandum Opinion, IT IS this 20th day of September, 1990, by the United States District Court for the District of Maryland, hereby ORDERED:

1. That the above referenced action BE, and the same hereby IS, DISMISSED with prejudice.

2. That Plaintiff Sassower is hereby PERMANENTLY ENJOINED and RESTRAINED from filing or serving, or attempting to initiate any action or proceeding in this Court:

a) against any of the following parties: Fidelity and Deposit Company of Maryland; Lee Feltman; Karesh, Major & Farbman;

A-7

Puccini Clothes, Ltd.; Hyman Raffe; A.R. Fuels, Inc.; Eugene Dann; Robert Sorrentino; Kreindler & Relkin, P.C.; Citibank, N.A.; Jerome H. Barr; Nachamie, Hendler & Spizz, P.C.; Rashba & Pokart; Howard Bergson; Ira Postel; Francis T. Murphy; Xavier C. Riccobono; Michael J. Dontzin; Ira Gammerman; Alvin F. Klein; David B. Saxe; Martin H. Rettinger; Isaac Rubin; Donald Diamond; Sol Wachtler; George C. Pratt; Charles L. Brieant; Eugene H. Nickerson; William C. Connor; Robert Abrams; Andrew J. Maloney; Denis Dillon; Allyne Ross; Whiteford, Taylor & Preston; Stafford, Frey, Cooper & Stewart; General Insurance Company of America; Jeffrey A. Sapir; William L. Dwyer; James L. Oaks; Wilfred Feinberg; Nicholas H. Politan; Francis T. Murphy; and Martin Evans.

b) or relating to the same subject matter of the above referenced actions.

3. That in view of this opinion, all pending motions by Sassower in these cases are dismissed as moot.

4. That the Clerk of the Court CLOSE this case.

5. That the Clerk of the Court mail copies of this Order and the attached Memorandum Opinion to all parties of record.

John R. Hargrove
United States District Judge

A-8.