

1959

GEORGE SASSOWER

ATTORNEY AT LAW

~~2125 MHEL-SASSOWER~~
~~BROOKLYN, N.Y. 11204~~

51 Davis Avenue,
White Plains, N.Y. 10605

914-949-2169

~~212-441-3400~~

March 22, 1986

Hon. Michael Potoker
67-64 Groton Street,
Forest Hills, New York, 11375

Honorable Sir:

1. In yesterday's mail, I received a Notice of Appeal from the firm of Feltman, Karesh, Major, & Farbman, Esqs., dated March 19, 1986, appealing from an Order from Referee Donald Diamond, entered on March 17, 1986.

2. Annexed to the Notice of Appeal is a copy of such purported (undated) Order of Referee Donald Diamond, which contains the following statement (p. 8):

"According to Mr. Raffe's testimony, he terminated his relationship with Mr. Sassower in a telephone conversation had when Mr. Sassower was confined to the Bronx House of Detention." [emphasis supplied]

3. I was not present when such purported testimony was given; was not invited to attend; did not know that it such testimony was given; do not know when such testimony was given; do not have a transcript of same; and as all matters with Referee Donald Diamond, it probably took place in a secret, "non-public sessions" (cf. Judiciary Law §4).

4. Nevertheless, the aforementioned testimony by Mr. Raffe, is at complete variance with his testimony, and the testimony of Ira Postel, Esq., before Your Honor.

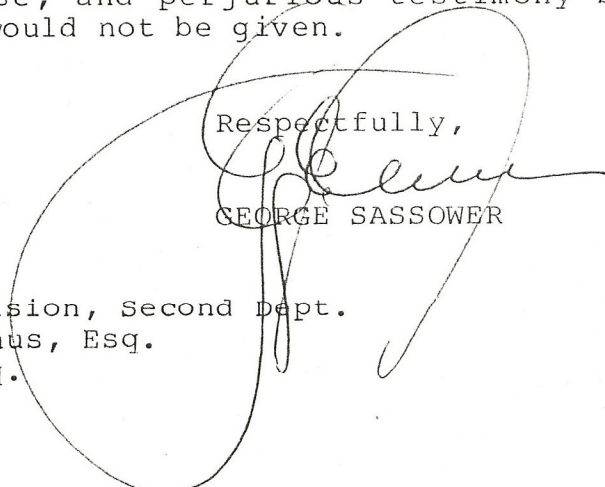
5. I respectfully request that Mr. Straus, as he originally intended, produce Referee Diamond with a copy of such transcript, and also recall Mr. Raffe and Mr. Postel with respect to same.

March 22, 1986

6a. Inquiry is further made as to whether Mr. Straus and/or Mr. Postel knew of such testimony before Referee Diamond, or the thrust of same, and failed to disclose it during the proceedings before Your Honor?

b. I again suggest and contend that if Mr. Straus witnesses would come with relevant records, the inconsistent, false, and perjurious testimony by Mr. Straus' witnesses would not be given.

Respectfully,



GEORGE SASSOWER

cc: Appellate Division, Second Dept.
Robert H. Straus, Esq.
Lee Cross, Esq.