

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : FIRST DEPARTMENT

In the Matter of George Sassower, an
Attorney and Counsellor-at-Law:

GRIEVANCE COMMITTEE FOR THE NINTH
JUDICIAL DISTRICT,

Petitioner,

-against-

GEORGE SASSOWER,

Respondent.

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SEP 17 1982

APPELLATE DIVISION
COURT HOUSE

9th JUDICIAL DISTRICT

SEP 16 1982

GRIEVANCE COMMITTEE

S I R:

PLEASE TAKE NOTICE, that upon the annexed
affidavit of GEORGE SASSOWER, Esq., sworn to on the 18th
day of June, 1982, and upon all the proceedings had
heretofore herein, the undersigned will move this Court
at a Stated Term of the Appellate Division of the
Supreme Court of the State of New York, on the day
of June, 1982, at 9:30 o'clock in the forenoon of that
day or as soon thereafter as counsel may be heard for an
Order of this Court (1) vacating petitioner's Notice of
Motion dated March 19, 1982; (2) staying consideration
of petitioner's motion and my cross-motion in order to
afford Presiding Justice Milton Mollen to respond and
report if His Honor is so inclined; (3) an adjournment

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so that petitioner has ample opportunity to respond to my cross-motion herein; and (4) any other, further, and/or different relief as to this Court may seem just and proper in the premises.

Dated: White Plains, New York
June 18, 1982

Yours, etc.,

GEORGE SASSOWER, Esq.
Attorney for Respondent
283 Soundview Avenue,
White Plains, N.Y. 10606
914-328-0440

To: Gary L. Casella, Esq.
Attorney for Petitioner.
Hon. Milton Mollen
Presiding Justice of the Appellate Division

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APPELLATE DIVISION : FIRST DEPARTMENT

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GEORGE SASSOWER,

Respondent.
-----X

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

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

I am the respondent herein and make this
affidavit in support of a motion to (1) vacate
petitioner's Notice of Motion dated March 19, 1982; (2)
to stay consideration of petitioner's motion and my
cross-motion pending advise from Hon. Milton Mollen with
respect to the proceedings herein; (3) an adjournment so
that petitioner may respond to my cross-motion in
detail; (4) together with such relief as may be
appropriate herein.

Initially to be noted is the fact that petitioner's counsel and myself have, since the commencement of the hearings in this matter cooperated fully. This is the way Hon. Aloysius J. Melia wanted it, and there has never been the slightest problem.

My problems have been with the Grievance Committee, not with counsel, and the distinction is important.

My accusation of a present attempted deceit upon this Court is with the Grievance Committee, not its attorneys, whose transgressions seem to be that they are following instructions.

A very brief summary of the background of this very unusual proceeding is as follows:

1. Despite the confidentiality provision in Judiciary Law §90, my wife and I were publically accused of professional and ethical misconduct by Surrogate Ernest L. Signorelli, which was published in the New York Law Journal. The publication specifically stated that the charges were being referred "to the Presiding Justice of the Appellate Division, Second Judicial Department, for such disciplinary action as he may deem appropriate".

The published charges have been repeated in countless places in various forms and has caused both my wife and myself irreparable damage, financially and emotionally. Additional publicity was given to my incarceration by Surrogate Signorelli in the New York News and various other newspapers which painted me as nothing less than a thief.

Petitioner leveled twenty (20) charges against my wife and fourteen (14) against me, a total of thirty-four (34) charges in all.

On the charges against my wife, seventeen (17) were summarily dismissed by this Court and on the other three, the Referee's recommendation of dismissal was confirmed.

Of the fourteen (14) charges against me, seven (7) were withdrawn by the petitioner during the hearings, and the Referee recommended the dismissal of the other seven (7). Of these remaining seven, petitioner moved to confirm three (3) and disaffirm four (4).

Therefore at the present time the score is either 30-0 or 34-0.

Particularly when petitioner's record of successful prosecutions approaches 100%, some explanation is in order by petitioner regarding the institution of these proceedings against us.

Had the institution of these proceeding against us been kept confidential, mere dismissal might have been sufficient insofar as our reputation was concerned. But this was not the case, it was, as described above widely publicized.

Therefore to help restore our reputation, dismissal alone will not suffice, the win must be big and dramatic.

The cause of the adverse publicity being judicial in origin, this Court owes us a particular special duty in aiding us, in whatever lawful manner, to restore our good names.

Consequently I have cross-moved, not to confirm the Report of the Referee, but to vacate the entire disciplinary as a fraud upon this Court, which it was.

To that end, I have requested in my fully documented supporting affidavit of two hundred twenty-nine (229) pages for an inquiry of Surrogate Signorelli and his office by the Presiding Justice Milton Mollen and the Commission on Judicial Conduct. I have also requested that this Court request the Grievance Committee, its attorneys, the Attorney General, and the Sheriff's Office to forward certain information which will confirm my charge that a fraud was perpetrated upon this Court by the institution of these proceedings.

The present application to vacate its motion to confirm and disaffirm is based on the post-hearings attempt of the Grievance Committee to deceive this Court still further.

From reliable sources, which seems to have been confirmed by petitioner's conduct, I learned that the Memorandum supporting disaffirmance is considered by counsel as meritless and does not represent a fair appraisal of the charges, as is the motion to disaffirm altogether. This is a charitable appraisal by petitioner's counsel since I consider it reprehensible and deceitful.

I have been further advised that the reason that petitioner's attorney's name is not on the legal back or the notice of motion, as it is on all other papers, is that the attorneys for petitioner wish to disassociate themselves from such motion (and I do not blame them).

I further understand that no one on the Grievance Committee desires to sign a supporting affidavit or to affix his name to petitioner's memorandum, for substantially like reason.

Although the Grievance Committee believes that its motion is meritless, factually and legally, for reasons which it should explain, if it can, to this Court, it nevertheless wishes to disaffirm the Report of the Referee on four charges. Consequently, a name of an attorney does not appear on the legal back, the notice of motion, and memorandum, merely "Grievance Committee for the Ninth Judicial District".

For weeks now I have insisted that some attorney's name appear on its papers and that it should amend the moving papers in some way so as to indicate the name of an attorney who then become responsible for the contents thereof. Apparently no one at the Grievance Committee wishes to take the responsibility for same.

The moving affidavit of Richard E. Grayson, Esq., is a pro forma affidavit requesting the "motion to be granted". I have requested Mr. Grayson, if he wishes to take the responsibility he should put his name on the memorandum, but does not wish to do so.

All the material set forth in the petitioner's motion to disaffirm is deceptive and I will only set forth two of the charges which petitioner moves to disaffirm because it can be done briefly and proves my point.

Petitioner moves to disaffirm "charge eight" based on Surrogate's Signorelli's testimony that on June 15, 1977, I said that I would not obey his order.

a. Petitioner knows that the minutes of that day show the contrary.

b. Since, they know that the minutes of that day does not support this testimony of Surrogate Signorelli, petitioner does not allege that I said I would disobey the order but instead alleges that this is what Surrogate Signorelli said when they know that Surrogate Signorelli repeatedly lied in his testimony before the Referee and lied in his published statements about us.

Let petitioner set forth in full my testimony on which Surrogate Signorelli stated I refused to base my order and this Court will see immediately that the Surrogate's testimony is false, and petitioner knows it.

It was this Surrogate (a former Assistant District Attorney and County Court Judge) who testified that in his opinion, I had no 5th Amendment rights while in custody; that he did ^{not} know what a "charge" was precisely; and that he followed the law when he incarcerated me although I was not charged, and tried, convicted, and sentenced, all in absentia.

The Grievance Committee knows that it was deceived in bringing charges against my wife myself by the deception of Surrogate Signorelli and his Court and an attempt to carefully pruned the documents of Surrogate's Court, but seem to want to suppress this Surrogate's misconduct.

The Grievance Committee and the Referee openly excoriated the false and deceptive activities of Charles Z. Abuza, Esq. and not only has the Grievance Committee not reported same to the proper authorities, but attempted to gag me for revealing same to the Court.

I have enough of the deceit of Charles Z. Abuza, Esq., the deceit of Surrogate Signorelli, and I do not need the present and continuing deceit of the Grievance Committee.

All this Court need do in order to expose what is presently happening is to mandate the Grievance Committee to have an attorney place his name on the Memorandum and by such act, represent everything that is represented by such act.

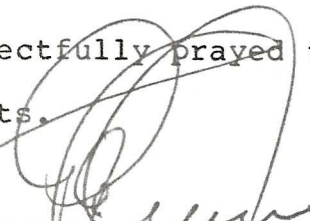
I wish to see any attorney, with any decent qualifications, represent that my complaints in the federal courts did not constitute a "case or controversy". Even Mr. Justice Rehnquist would laugh at such assertion.

There is much more I could say, but obviously I do not wish to reveal the source of my information. A full, candid, and comprehensive report by petitioner to this Court should reveal truths about this matter.

2. I believe that ample time should be given to Mr. Presiding Justice Milton Mollen to respond and report with respect to the matters contained in my cross-motion.

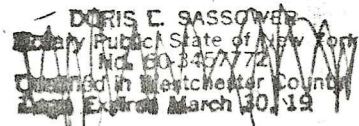
3. I believe that there is a duty on petitioner's part to fully respond to the serious allegations made in my cross-motion, and that it never be able to say it did not have sufficient time to do so.

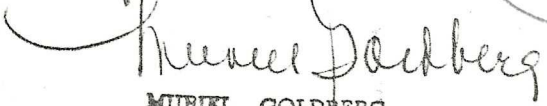
WHEREFORE, it is respectfully prayed that this motion be granted in all respects.



GEORGE SASSOWER

Sworn to before me this
18th day of June, 1982


DORIS E. SASSOWER
Notary Public, State of New York
No. 60-1457772
Qualified in Westchester County
Commission Expires March 30, 1983


MURIEL GOLDBERG
Notary Public, State of New York
No. 60-4516474 Westchester County
Commission Expires March 30, 1983

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Petitioner,

-against-

GEORGE SASSOWER,

Respondent.

Notice of Motion and Affidavit

GEORGE SASSOWER

Attorney for respondent.

Office and Post Office Address, Telephone

283 SOUNDVIEW AVENUE

WHITE PLAINS, N. Y. 10606

(914) 328-0440

To

Attorney(s) for

Service of a copy of the within

is hereby admitted.

Dated,

.....
Attorney(s) for

Sir:—Please take notice

NOTICE OF ENTRY

that the within is a (*certified*) true copy of a
duly entered in the office of the clerk of the within named court on

19

NOTICE OF SETTLEMENT

that an order
settlement to the HON.
of the within named court, at
on

of which the within is a true copy will be presented for
one of the judges

19

at

M.

Dated,

Yours, etc.

GEORGE SASSOWER

Attorney for

Office and Post Office Address

283 SOUNDVIEW AVENUE

WHITE PLAINS, N. Y. 10606

To

Attorney(s) for