

November 11, 2010

THE LAWYERS' FUND FOR CLIENT PROTECTION
OF THE STATE OF NEW YORK
119 Washington Avenue
Albany, New York 12210
Att.: Timothy J. O'Sullivan
Executive Director
FedEx Tracking Number 9113 4001 2063

Re: **Claimants: Kevin & Juanita Veneski**
Claim #: 0701001

Dear Mr. O'Sullivan:

Receipt is acknowledged of your November 2, 2010 CONFIDENTIAL letter regarding the above-entitled matter.

Be advised that the entire claim is a fraud and no portion thereof should be paid. Be advised, however, that claimants have no knowledge that the claim is a fraud and are, tragically, pawns in a battle between Secaucus, New Jersey attorney Thomas A. DeClemente and New York attorney Norman Leonard Cousins.

Harris D. Leinwand, who purportedly represents the Veneskis in this matter, actually works for Thomas A. DeClemente. During the course of my representation of the Veneskis in New York, New Jersey and Pennsylvania, I told the Veneskis to hire Harris D. Leinwand to represent them in my pending Chapter 13 proceeding. I had no knowledge at the time that Leinwand even *knew* - let alone worked for - DeClemente. I didn't even know at the time that DeClemente and his sometime partner Michael R. Perle were bankruptcy attorneys. That I empowered Leinwand to inflict so much pain and hardship on the Veneskis weighs heavily on my soul.

This entire claim - from its inception - has been orchestrated by Thomas A. DeClemente.

There are two distinct reasons for this. **(1)** As Kevin Veneski's attorney, I refused to permit Mr. Veneski to assist DeClemente in misappropriating up to \$2 million from the New York Liquidation Bureau. **(2)** When I learned that DeClemente had forged my name on a Notice of Security Fund Assignment and attempted to misappropriate \$666,666.66 from the New York Liquidation Bureau through use of the US mails, I reported his activities to and fully cooperated with the US Attorney's Office for the Southern District of New York.^f

As I uncovered more evidence of DeClemente's efforts to defraud the New York State Liquidation Bureau and Medical Liability Mutual Insurance Co. (MLMIC), I turned over evidence of his activities to the Bronx District Attorney's Office, the Hudson County (NJ) Prosecutor's Office, the Office of Attorney Ethics in Trenton, NJ and, eventually, the Manhattan District Attorney's Office.

On November 12, 2004, DeClemente elicited the following testimony from me at his office in Secaucus:

- 391/21 Q. I believe you in some document
391/22 indicated that **you had turned this forgery over to**
391/23 **ethics and prosecuting authorities?**
391/24 A. **Yes.**
392/1 Q. Did any of them concur with you --

^f Highlighted materials are enclosed herewith.

- 392/12 A. Yes.
- 392/13 Q. -- that it was a forgery?
- 392/14 A. Yes.
- 392/15 Q. Which authority concurred?
- 392/16 A. **Hudson County Prosecutor's Office.**
- 395/10 Q. When did you bring this to the
- 395/11 attention of the Hudson County --
- 395/12 A. Months ago, but that's the best --
- 395/13 Q. Would it have been after the Core
- 395/14 complaint was filed?
- 395/15 A. It had to be because **I didn't know**
- 395/16 **about the forgery until the Core lawsuit was filed.**
- 396/14 Q. Do you believe that bringing this to
- 396/15 the attention of the Hudson County Prosecutor's
- 396/16 Office was an attempt to influence the ongoing
- 396/17 litigation?
- 396/18 A. Absolutely not. It was because you
- 396/19 committed a crime, and they have jurisdiction over
- 396/20 it.
- 396/21 Q. So you felt that was something that
- 396/22 was outside of the prohibition that your attorney
- 396/23 just spoke of?
- 396/24 A. There is no prohibition. No one has
- 396/25 threatened you and said if you don't drop this case
- 397/1 I'm going to the Prosecutor's Office. One has
- 397/2 nothing to do with the other. For your information

397/3 I went to the US Attorney's Office, and it had

397/4 nothing to do with this.

402/4 MR. DeCLEMENTE: I'm done.

From that moment on (November 12, 2004), DeClemente was committed to doing everything in his power to have me disbarred. My one major mistake was facilitating his task by pressuring Kevin Veneski to hire Harris D. Leinwand.

Upon complaint of Hon. Sherry Klein Heitler, JSC, dated January 31, 2007, the Departmental Disciplinary Committee conducted an investigation of my representation of the Veneskis. I was deposed by DDC counsel Mady J. Edelstein and Alan W. Friedberg at their offices on May 2 and 23, 2008. I produced every document and statement requested - *and then some* (some 1000 or more pages). I cooperated in their investigation fully and without reservation. When they were done I was served with no Notice of Charges. I received no letter of reprimand or admonition.

No one has ever testified against me. I have never been accorded a hearing or trial; and I have never been accorded the opportunity to defend myself. In short, I have been denied due process of law at every turn.

Your letter of November 2, 2010 states, "You may also request a hearing." **I do so (pursuant to 22 NYCRR 7200.10(f)).**

Thomas A. DeClemente was indicted by a Bergen County Grand Jury on May 26, 2000. He avoided trial by entering the Bergen County Pretrial Intervention Program. On March 30, 2006 DeClemente was charged in a two-count Complaint by the Office of Attorney Ethics in Trenton. He was afforded full discovery, a fair hearing, and two appeals. **It took the Disciplinary Review Board 62 pages to explain to the New Jersey Supreme Court why DeClemente should be suspended from practice.** DeClemente's conduct is so devious, multifaceted and complex that it is impossible to fully respond to The Fund's inquiry in a single letter. It took me five (5) years (including five days of cross-examination of DeClemente over a five-month period) to fully understand how this sociopath's mind works.

I have spent four years of my life (successfully) defending and protecting the Veneskis from DeClemente, Leinwand (and Leinwand's NJ counsel & former law school buddy, Anthony P. Limitone, Jr.).

What I'd like to do now is force Leinwand, Limitone and DeClemente to repay the Veneskis every penny they spent and debt they incurred defending themselves from DeClemente and his companies (Legal Asset Funding, LLC and First England Funding, LLC) in New York, New Jersey and Pennsylvania.

The sooner this matter is cleared up, the sooner I can do that. For that reason, more than any other, you will have my full cooperation in resolving this claim as soon as possible (not, however, without due process of law).

Sincerely,

/s/ NORMAN L. COUSINS

NORMAN LEONARD COUSINS

cc: VICTOR M. SERBY
Attorney at Law
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