

COURT OF APPEALS  
STATE OF NEW YORK

-----X  
In the Matter of Doris L. Sassower,  
An Attorney and Counselor-at-Law,

AFFIDAVIT OF  
DORIS L. SASSOWER

GRIEVANCE COMMITTEE FOR THE NINTH  
JUDICIAL DISTRICT,  
Petitioner-Respondent,

-against-

DORIS L. SASSOWER,  
Respondent-Appellant.  
-----X

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

DORIS L. SASSOWER, being duly sworn deposes and says:

1. I am the Appellant herein and submit this Affidavit on direct personal knowledge.

2. I have read Dr. Scher's Affidavit dated July 23, 1991. As shown hereinafter, Dr. Scher's Affidavit is false, distorted, and deliberately designed to mislead this Court so as to convey a false impression that I was unreasonable, uncooperative and inconsiderate. Nothing could be further from the truth.

3. Dr. Scher omits to state that I called his office on June 20, 1991 (the day after I received the suspension order) and that on the following day we scheduled an appointment for June 28th (his earliest available date), which he cancelled without explanation on June 26th.

4. When I did not thereafter hear further from him, I called Dr. Scher's office on July 2nd. On July 3rd, we

scheduled an appointment for July 19th, which was then his earliest available date (Exhibit "A").

5. On July 8th, Dr. Scher called me and stated he had two cancellations, one the next day, which was impossible for me, and one on July 11th, which I accepted. Dr. Scher's statement that I refused that date is simply false.

6. Upon my accepting the July 11th appointment, the July 19th appointment was no longer extant. Indeed, when I cancelled the July 11th appointment because of Dr. Scher's refusal to furnish any credentials, that was expressly stated to him as the reason for the cancellation (Exhibit "B").

7. After cancelling the July 11th appointment, Dr. Scher never called to ask if he should expect me on July 19th--since (a) there was no appointment; and (b) he had not sent me his credentials. Indeed, Dr. Scher did not, on or after July 19th, advise me that he had, in fact, expected me on that date. Thus, Dr. Scher's statement that I "failed to appear at [his] office as scheduled [on July 19] and did not notify me of any intention to cancel", is palpably false. It further removes all doubt that Dr. Scher perceives himself as an advocate for the Grievance Committee, not a neutral medical expert.

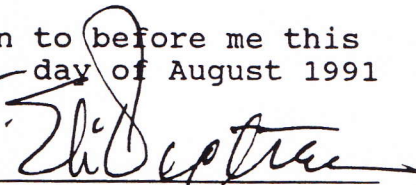
8. Indeed, Dr. Scher not only refused to supply his credentials, but refused to answer my specific question as to whether he was an attorney. Moreover, on June 21st he specifically rejected my request for his credentials with the statement: "I work for the Grievance Committee, I will have to

check with Mr. Casella and get back to you".

9. So as not to prolong this Affidavit and in further response to the statements of Gary Casella, Esq., in his Affirmation in Opposition to the Motion for Leave to Appeal, I rely on all the papers filed with this Court on my behalf by my counsel.

  
DORIS L. SASSOWER

Sworn to before me this  
22 day of August 1991

  
Notary Public

**ED VIGLIANO**  
Notary Public, State of New York  
No. 4687388  
Qualified in Westchester County  
Commission Expires June 6, 1992