

TENTH: The February 6, 1990 Petition does not allege that any written charges were served upon Petitioner herein nor that any hearing was ever held prior to the seeking of disciplinary relief from this Court. Nor does the Petition allege that it is brought under the exception provided by §691.4(e)(5), which would have required a showing of exigent circumstances so as to permit the Grievance Committee to dispense with the aforesaid prerequisite administrative procedures.

ELEVENTH: In a telephone conference on April 8, 1993 from the office of the Grievance Committee for the Ninth Judicial District, Respondent Galfunt refused to entertain Petitioner's aforesaid jurisdictional objections and stated he would proceed to adjudicate the February 6, 1990 Petition and, in that connection, he would hold a Preliminary Conference on April 28, 1993. Said telephone conference was stenographically recorded at the office of the Grievance Committee and the Attorney General should supply a certified copy thereof on or before the return date of the Order to Show Cause bringing on this Petition pursuant to CPLR §7804.

TWELFTH: The aforesaid transcript will also establish that Respondent Casella has failed and refused to set forth the legal basis for invocation of this Court's disciplinary jurisdiction which resulted in the filing of the February 6, 1990 Petition.

THIRTEENTH: The aforesaid jurisdictional deficiencies of the February 6, 1990 Petition are fully known to the Chairman


of the Grievance Committee, Respondent Sumber. Notwithstanding such knowledge, Respondent Sumber has acquiesced, condoned, and participated in the continued prosecution of the jurisdictionally void February 6, 1990 Petition.

FOURTEENTH: Respondents know or should know that any proceedings to prosecute the February 6, 1990 Petition are unlawful, without jurisdiction, and violative of Petitioner's constitutional rights of due process and equal protection.

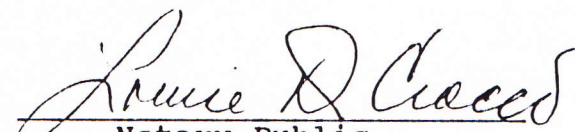
FIFTEENTH: By reason of the aforesaid, Petitioner has been caused, and will continue, to suffer serious and irreparable injury, for which Petitioner has no adequate remedy except by a judgment as applied for herein.

SIXTEENTH: No previous application for the relief demanded herein has been made to any other court or judge.

WHEREFORE, Petitioner respectfully prays for a judgment granting the relief requested in the accompanying Notice of Petition.


DORIS L. SASSOWER

Sworn to before me this
28th day of April 1993


Notary Public

Notary Public, State of New York
No. 4718571
Qualified in Westchester County
Commission Expires March 30, 1994
Dec 10, 1994