

CENTER *for*
JUDICIAL
ACCOUNTABILITY



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March 10, 1994

Hon. G. Oliver Koppell
Attorney General of the State of New York
120 Broadway
New York, New York 10271

ATT: Shelley Mayer, Esq.
Counsel to the Executive Committee

RE: Sassower v. Mangano, et al.

Dear Ms. Mayer:

Per our telephone conversation a short while ago, my attorney has prepared the within proposed stipulation and, due to other pressing commitments, has authorized me to transmit it to you, together with this covering letter.

As you know, more than a month ago I requested that the Attorney General review the files under A.D. #90-00315. It was not until last Thursday, that you revealed that no review of the files had been undertaken and that you were not planning to requisition the files from your clients.

Plainly, had the files been obtained from your clients at the time of my initial and subsequent requests, the review could have been completed long before now.

The enclosed stipulation reflects my willingness to afford the Attorney General adequate time to review the files which, last Friday, you notified me is what Mr. Koppell personally wishes to do. There is no prejudice to the public since, as you know, I am already suspended under the "interim" Order of the Appellate Division, Second Department, dated June 14, 1991.

I specifically direct your attention to provisions of the Penal Law, inter alia, §210.05, §210.10, §210.35, and §210.40 relating to the penalties for perjury and for filing false statements with a Court, as well as Judiciary Law §487(1), relating to deceit upon the court and collusion. The Attorney General's review of the files under A.D. #90-00315 will confirm the criminal aspects of what Assistant Attorney General Sullivan submitted to the Appellate Division, Second Department and embodied by reference in his submission to the Court of Appeals.

Supp. Exh. "8"

Shelley Mayer, Esq.

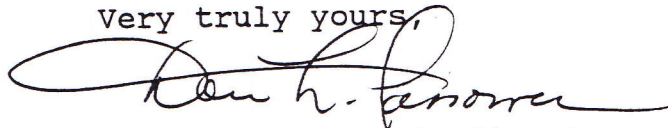
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Retraction of Assistant Attorney General Sullivan's false submission to the Court of Appeals would not only serve the interests of justice but also to mitigate the penal consequences (cf. §210.25).

Your cooperation will permit the Attorney General to take the remedial steps appropriate to this most serious matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Doris L. Sassower", written in a cursive style.

DORIS L. SASSOWER, Director
Center for Judicial Accountability

cc: Evan Schwartz, Esq.

COURT OF APPEALS
STATE OF NEW YORK

DORIS L. SASSOWER,

Petitioner-Appellant,

-against-

HON. GUY MANGANO, as Presiding Justice
of the Appellate Division, Second Dept.,
HON MAX GALFUNT, as Special Referee,
and EDWARD SUMBER and GARY CASELLA as
Chairman and Chief Counsel respec-
tively of the Grievance Committee for
the Ninth Judicial District,

STIPULATION

AD # 93-02925


Respondents-Respondents.

WHEREAS, the Attorney General is investigating and reviewing the files in the underlying disciplinary proceedings under AD 90-00315, which are the subject of the above-captioned Article 78 proceeding herein being appealed;

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the parties hereto, that the parties request the Court of Appeals to put over any determination on the Court's sua sponte inquiry into its jurisdiction over such appeal until the April Session so as to allow sufficient time for the Attorney General to complete his aforesaid investigation and review.

Dated: March 11, 1994

G. Oliver Koppel
Attorney General of the
State of New York
Attorney for Respondents
120 Broadway
New York, NY 10271



Evan S. Schwartz
Attorney for Petitioner
One Huntington Quadrangle
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Melville, NY 11747