

September 10, 1986

Gerald Stern, Esq.
Commission on Judicial Conduct
801 Second Avenue,
New York, New York, 10017

Michael A. Gentile, Esq.
Departmental Disciplinary Committee
41 Madison Avenue,
New York, New York, 10010

Re: Mr. Justice IRA GAMMERMANN
Referee DONALD DIAMOND
KREINDLER & RELKIN, P.C.
FELTMAN, KARESH, MAJOR & FARBMAN, Esqs.

Gentlemen:

1a. In my letter of September 7, 1986 ("DID YOU READ 'LETTERS TO THE EDITOR' IN THE NYLJ OF SEPT. 5, 1986?") I stated:

"If you have an interest in Puccini and make a motion on Monday to compel an accounting; the 'criminals with law degrees' go to Mr. Justice IRA GAMMERMANN, ex parte, on Tuesday, declaring what was done on Monday, unlawful; Wednesday, you are held in contempt and sentenced, without a trial, in absentia, for doing on Monday, which was lawful on that day, but made unlawful on Tuesday; Thursday, you are in jail, unless you agree to the 'humanitarian' terms offered; and Friday, the Writ of Habeas Corpus ad subjiciendum is effectively suspended! Interesting week!"

b. Obviously, the above was not intended to be read literally, although the thrust is absolutely correct!

c. Nevertheless, since I wish to make such statement the basis of a charge against the above, both you and they are entitled to specifics, which I now set forth.

d. The charge against the "Gammerman Orders" are that they are a fraud, fraudulently procured, rendered without even a pretense of due process, and a nullity!

e. These Gammerman orders, made the subject of this complaint, will be made one at a time!

2a. The above culprits, and others, have "declared war" on my profession, on my country, on my laws, and on my civilization, and I intend to defend and fight back, with or without your help!

b. This is a public matter, and should be! The only reason for this semi-non-public communication, is to set forth the specifics, which for the documented bulk, cannot be easily and economically distributed in massive amounts.

c. Even a limited documented support is impossible at this time, since I am almost fully packed, ready to move from the State of New York, since I have no intention of being harassed, as I have been for the past eight months, with "Gestapo type" Orders directing that the Sheriff "break into" my premises and "seize all word processing equipment and soft Ware", and my "possessions inventoried"!

THE GAMMERMAN TRANSCRIPT OF DECEMBER 19, 1984:

3a. While the Orders dated January 23, 1984, have many infirmities of a jurisdictional nature, the pertinent portion of the transcript of December 19, 1984, at Special Term Part I of New York County, as pertinent herein, reads as follows:

"THE COURT: I'm going to stay all the actions against the lawfirms. That's my intention. I'll listen to Mr. Sassower, but after reading all the papers, it was my intention to stay actions against the lawfirms, let litigation proceed against the non-lawfirm defendants, if there is any basis for the lawfirm actions, an application may be made by Mr. Sassower to vacate the stay and I think you should make a motion to dismiss the actions against the officer." [emphasis supplied]

b. The Court never modified, nor enlarged the above limited stay against the "law firms only", during the proceedings that followed, or at any time thereafter!

c. Indeed, EDWARD WEISSMAN, Esq., formerly of KREINDLER & RELKIN, P.C., and now interestingly of FELTMAN, KARESH, MAJOR & FARBMAN, Esqs., was openly surprised and disturbed by the limited nature of Mr. Justice IRA GAMMERMANN's injunction at the time, and the following appears at the conclusion thereof:

"MR. WEISSMAN: The actions against the law-firms--
THE COURT: Are stayed."

THE GAMMERMANN ORDER, ENTERED JANUARY 24, 1985:

4a. The recital clauses in the Order dated January 23, 1985, entered January 24, 1985, were not based on the minutes of December 19, 1983, which were not tendered with the proposed Order, as is the invariable practice where there is no written decision, but was based upon a perjurious affidavit and a perjurious affirmation submitted by the above law firms. The minutes of the proceedings are intentionally not even recited in such Order.

b. The false and perjurious recital clauses in said Order entered January 24, 1986, reads as follows:

"this Court having rendered an oral decision on December 19, 1984, granting the motions and extending the temporary restraining orders contained within the Orders to Show Cause hereinabove specified: And upon the affidavit of Michael J. Gerstein sworn to on January 9, 1985, and the Exhibits thereto, and the affirmation of Donald F. Schneider, dated January 9, 1985, and the exhibits thereto, it appearing therefrom that, that notwithstanding the force and effect of the restraining orders contained in the aforesaid Order to Show Cause as extended by this Court on December 19, 1984, Raffe and Sassower published and distributed process dated January 7, 1985, purportedly instituting actions in this Court entitled: (a) Hyman Raffe ... [non law firms] (b) Hyman Raffe ..[non law-firms] and (c) Hyman Raffe [non law-firms] .." [emphasis supplied]

c. Thus my actions of January 7, 1985 were lawful on that day (Monday), but were decreed unlawful on January 24, 1985 (Tuesday).

Referee DONALD DIAMOND:

5a. Based on a false recital clause, that I, committed wrongful acts on January 7, 1984, criminal contempt motions were submitted to Hon. MARTIN EVANS, and thereafter referred by His Honor, or more correctly "dragooned" by, to Referee DONALD DIAMOND, by a process, which will at a future date be described in detail.

b. Referee DONALD DIAMOND, the other lackey of Administrator XAVIER C. RICCOBONO, based on a plea of "not guilty" submitted to Hon. MARTIN EVANS, who I deeply respect, and some affirmative allegations, in addition thereto, now holds that the plea of not-guilty on criminal charges is tantamount to a general denial, not raising any triable issues of fact", and finds me (as well as HYMAN RAFFE) guilty of 63 counts of criminal contempt (Wednesday)!

c. The pertinent portion of the Report of Referee DONALD DIAMOND, dated May 1, 1985, without a trial or hearing, and consistently misquoting my written response, reads as follows (pp. 27-29):

"In paragraph '2a' of [Sassower's] cross-moving affidavit [he] alleges that an order made by Mr. Justice Gammerman, 'purportedly based on a decision made in open court wherein [Sassower's] adversaries were given little relief.'

I report that the only truthful statement in that paragraph is that the order was entered on January 24, 1985.

The order recites the substantial number of papers upon which it is based; sets forth that the court rendered an oral decision on December 19, 1984, granting and extending temporary restraining order contained in the orders to shown cause, sets forth that Mr. Sassower and Mr. Raffe violated the temporary restraining orders by the commencement of three separate actions.

The claim that order provided 'little relief' is a sham and demonstrates the cavalier attitude of Mr. Sassower to the orders of this court. It granted the most drastic remedy available to a litigant, a permanent injunction.

Moreover, the scope of the injunctive relief is dramatic. It bars a litigant and a lawyer from the institution of lawsuits against a significant number of parties and forecloses them from making complaint against lawyers to Departmental Discipline Committees and the like.

...

I report that the order of Mr. Justice Gammernan granted omnibus permanent injunctive relief designed to protect the movants from the institution of sham and frivolous claims in repetitive meritless actions and proceedings ... determined was necessary to control Mr. Sassower's unconscionable activities.

[Sassower's] claim that the ... injunction issued by Mr. Justice Gammernan granted the movant's relief that was specifically denied. I report that this statement is false and was either known to be false to Mr. Sassower when he made the affidavit or that it was made with such reckless disregard of the truth that [Sassower] should have known it to be false.

The movants had obtained a temporary restraining order, the temporary restraining order was continued on December 19, 1984 and Mr. Sassower and Mr. Raffe violated same. The order granted the motion for the permanent injunction, in the following words:

'ORDERED, that the motions for permanent injunctions are granted;'

In the same paragraph, the pro se attorney alleges that the order was 'a hoax on the administration of justice par excellence'. I report that there is no substance to that claim. The order is a determination made by a Justice of this court granting a permanent injunction."

d. Based on an affidavit of DONALD F. SCHNEIDER, Esq., dated May 2, 1985, the day after the Report of Referee DONALD DIAMOND was issued, an Order to Show Cause is signed to confirm such report.

e. By a judicial process which will be examined at a future date, Hon. MARTIN EVANS confirms the above report, but imposes no penalty upon me whatsoever.

f. I did, nor do, not know whether Hon. MARTIN EVANS read the above report of Referee DONALD DIAMOND, but nevertheless stated in my Brief to the Appellate Division that His Honor did not read such "unadulterated garbage", since I am reasonably confident that neither His Honor nor any decent person could possibly read same without regurgitating!

g. On June 24, 1986, the Appellate Division embraced such trialess Report of DONALD DIAMOND and sentenced me to be incarcerated for 30 days!

h. The criminal extortion "indulgences" and the effective suspension of the writ of habeas corpus ad subjiciendum, will also be dealt with separately.

* * *

6. There are two (2) points I desire to make, and make them with emphatic crystal clarity!

a. I demand a trial, a constitutional trial, not because the "criminals with law degrees" cannot prove a single count of criminal contempt, as exemplified by the above, but because I am an American and intend to preserve that right for myself, my children, and for everyone else!

b. I have the "hard evidence" of massive larceny, perjury, extortion, corruption, and various other criminal activities in this matter, and I am going "public" in a very big way!

The "criminals with law degrees" cannot account for Puccini's judicially entrusted assets, and there is simply no amount of judicial and official power can conceal the irresistible conclusion by such failure!

As between the Titanic and the Iceberg, you must be aware who will survive! Your job, by immediate action, is to avoid the needless losses of those who ride the Titanic!

The "machinery of justice" will not be "hijacked" and kept in "bondage" by any private group and their corrupt stable of jurists!

In order to expedite the matter, copies are being directly sent to all those immediately affected by this complaint, as well as others, including the media!

Respectfully,

GEORGE SASSOWER