

At a term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York, on July 8, 1981

Present—Hon. Theodore R. Kupferman, Justice Presiding
Harold Birns
Leonard H. Sandler
Samuel J. Silverman
Arnold L. Fein, Justices

FILED
JUL 8 - 1981

Handwritten note: Laid in Motion, Supreme Court, 1st Department

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In the Matter of George Sassower, an Attorney and Counselor-at-Law: :

Grievance Committee for the Ninth Judicial District, :

Petitioner, : M-190

-against- : M-191

George Sassower, :

Respondent. :

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In a proceeding transferred to this Court by order of the Appellate Division, Second Department, entered January 9, 1981, the petitioner herein, the Grievance Committee for the Ninth Judicial District having, by notice of amended petition dated April 13, 1981 petitioned this Court for an order disciplining respondent, George Sassower, who was admitted to practice as an attorney and counselor-at-law in the State of New York at a Term of the Appellate Division, Second Department on March 30, 1949, upon the charges contained in the amended petition dated April 13, 1981; and the respondent having appeared herein and having cross-moved by notice of cross-motion dated April 30, 1981 for an order dismissing charges One through Fourteen, inclusive, contained in the amended petition, and for an order seeking a hearing to determine whether the proceedings have been brought and are being prosecuted in a constitutionally impermissible manner;

Now, upon reading and filing the notice of amended petition, dated April 13, 1981, the amended petition of the Grievance Committee for the Ninth Judicial District, verified April 13, 1981 and the affidavit of Richard E. Grayson, all read in support of the petition; the notice of cross-motion dated April 30, 1981 and the affidavit of George Sassower in support of the cross-motion and in opposition to the petition; and after hearing Messrs. Donald E. Humphrey and Richard E. Grayson for the petition and in opposition to the cross-motion and Mr. George Sassower appearing pro se in support of the cross-motion and opposed to the petition; and due deliberation having been had thereon, it is unanimously

Ordered that Hon. Aloysius J. Melia, of 530 East 23rd Street, New York, New York 10010, be and he hereby is appointed Referee in this proceeding to take testimony in regard to said charges and to report the same with his opinion thereon to this Court and that pending receipt by this Court of said report, determination of the petition is hereby held in abeyance; and it is further unanimously

Ordered that the cross-motion be and the same hereby is denied, without prejudice to raising constitutional defense before the Referee; and it is further unanimously

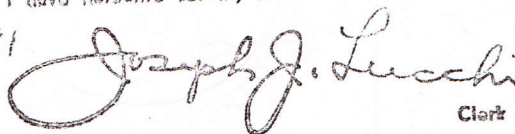
Ordered that the hearings before said Referee shall commence on a date and time to be fixed by the petitioner, after consultation with the Referee, but not later than thirty days from the date of this order, in Room 359M at the County Courthouse in the County of New York and shall be conducted in a prompt and expeditious manner and that the minutes thereof shall be taken by an official stenographer of the Supreme Court subject to the same terms and conditions as provided by Section 314 of the Judiciary Law, as though taken before an Official Referee. No adjournment of the hearings shall be granted by the Referee without good cause and in any case the adjournment shall not exceed thirty days. All hearings shall be concluded within sixty days of their commencement, unless good and sufficient reason for an extension is reported to this Court by the Referee. The Referee shall file his report within thirty days of the submission to him of the material required for his determination of the proceeding, unless good and sufficient reason for an extension of time is reported to this Court by the Referee. Within thirty days of receipt of the report of the Referee, petitioner shall bring on a motion before the Court to confirm or disaffirm the report of the Referee.

ENTER:

ALAN M. BERGER
DEPUTY Clerk.

APPELLATE DIVISION SUPREME COURT-FIRST DEPARTMENT
STATE OF NEW YORK

I, JOSEPH J. LUCCHI, Clerk of the Appellate Division of the Supreme Court, First Judicial Department, do hereby certify that I have compared this copy with the original thereof filed in said office on 7/8/81 and that the same is a correct transcript thereof, and of the whole of said original.
IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of this Court on: 7/8/81


Clerk