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To : Alan Friedberg Fax (212) 401-0810  
Departmental Disciplinary Committee  
Supreme Court, Appellate Division  
First Judicial Department

8/20/08

BY FAX AND BY HAND

Dear Mr. Friedberg,

**Mr. Kevin O'Sullivan's Statements on the Telephone**

I spoke to DDC Staff Attorney Kevin O'Sullivan by telephone yesterday afternoon. I asked him to please confirm receipt of a recent letter requesting information about the proper jurisdiction over Mr. Leon Friedman. Mr. O'Sullivan acknowledged receipt of the letter, but told me that you ordered him not to answer the letter or to confirm its receipt in writing. Regarding confirmation receipt of the letter Mr. O'Sullivan said (verbatim), "*Mr. Galison, Mr. Friedberg told me not to put it in writing and he runs this shop and it's his call*". He went on to tell me that "*Mr. Friedberg says you will not be hearing from the Committee from this time on*". I'm sure you realize that any decision by you to deprive me of my right to due process of law by ceasing communication with me is unconstitutional and in violation Judicial, State and Federal law, so I hope Mr. O'Sullivan misunderstood your intention.

I then remembered that you had accused me of "refus[ing] to assist the Committee" by not answering your questions about the current status of my "civil matters" and I realized that you may be attempting to use this accusation as a pretense to abate my pending investigations. As I explained, I refused to answer your questions regarding the status of a case in which the respondents were once of counsel because they are: a) irrelevant to the complaints and b) more aptly answered by your own team of professional investigators with full access to court records than by reliance on the ignorant conjecture of a person with no legal training who is

currently represented by counsel. I cannot tell you the precise status of my pending litigation because I don't know what it is. That is the job of my lawyers.

In order to best assist the Committee, I will refer you to my lawyer, who can give you an informed response to your questions. My lawyer is Neal Brickman, of Neal Brickman Associates (212) 986-6840. If Mr. Brickman feels that you have the right to request and receive the information you request, I will authorize him to give it to you.

### **Jurisdiction over Leon Friedman**

Regarding the matter of the proper jurisdiction over Mr. Friedman; Mr. Cahill himself answered this question. Mr. Cahill wrote: “[*Mr. Friedman*] *does not practice in Manhattan or the Bronx and is, therefore not within our jurisdiction*”. As we now know, Mr. Friedman practices *exclusively* in Manhattan, specifically at 148 East 78<sup>th</sup> street, so Mr. Cahill's conclusion is base on false facts. The good news, however, is that *by Mr. Cahill's own interpretation of the Rules*, which you have endorsed and cited in your letters: *Mr. Friedman does not practice in the Suffolk or Nassau Counties and is, therefore not within that jurisdiction (the 10<sup>th</sup> district)*. Mr. Cahill did not rely on Mr. Friedman's registered address to determine jurisdiction, but rather his *place of practice*, which is Manhattan. This standard of determination has been affirmed by several DDC Staff Attorneys. Unless you explain your motivations otherwise, your refusal to confirm the jurisdiction and orders to your staff to discontinue communication with me gives the distinct appearance of a coordinated conspiracy by you, Mr. Cahill and Mr. O'Sullivan to obstruct the legal process by illicitly protecting Mr. Friedman.

I look forward to hearing from you regarding the status of my complaints against various lawyers, including Mr. Friedman. If I do not hear from you within a week, I will have to assume that Mr. O'Sullivan's representation of your intention to discriminate against me is accurate and to proceed accordingly.

Respectfully,

Will Galison