

CENTER for JUDICIAL ACCOUNTABILITY, INC.

P.O. Box 69, Gedney Station
White Plains, New York 10605-0069

Tel. (914) 421-1200
Fax (914) 428-4994

E-Mail: judgewatch@aol.com
Web site: www.judgewatch.org

Elena Ruth Sassower, Coordinator

BY HAND

February 3, 2003

Barry Kamins, Esq.
Flamhaft, Levy, Kamins & Hirsch
16 Court Street
Brooklyn, New York 11241

*Copy Hand Delivered
to Appellate Division, 2d Dept
for Justice Nancy Smith*

RE: Responding to the Mandate of Appellate Division, Second Department Presiding Judge Gail Prudenti to "make sure we are acting fairly and equitably" when dealing with an attorney's right to practice" ("Committee to Study Discipline Process", New York Law Journal, 11/26/02)

RECEIVED
03 FEB - 3 AM 10:45
APPELLATE DIVISION
SECOND DEPT
NEW YORK

Dear Mr. Kamins:

Pursuant to my January 27, 2003 letter, transmitted herewith are two cartons containing a copy of the files of the Appellate Division, Second Department's disciplinary proceedings against Doris L. Sassower (A.D. #90-00315), combined with her responding *Sassower v. Mangano, et al.* Article 78 proceeding (A.D. #93-02925), including her attempts in each to secure review by the Court of Appeals.

These files are chronologically organized in folders according to the date of the Appellate Division and Court of Appeals decision/orders. Roughly speaking, the color-coding of the folders is as follows:

Red folders denote *sua sponte* Appellate Division decision/orders rendered without notice to Doris Sassower and opportunity for her to be heard;

Blue folders denote Appellate Division decision/orders relating to the Appellate Division's so-called June 14, 1991 "interim" order suspending Doris Sassower's law license;

Barry Kamins, Co-Chair/Attorney Discipline Subcommittee

Page Two

February 3, 2003

Green folders denote Appellate Division decision/orders relating to initiation and prosecution of new jurisdictionally-void proceedings against Doris Sassower;

Orange folders denote post-Article 78 proceeding Appellate Division decision/orders;

White folders denote post-Article 78 proceeding Appellate Division decision/orders on Eli Vigliano's motions to withdraw;

Purple folders denote Court of Appeals decision/orders.

Please note that the colored folders for the first 19 Appellate Division orders in the disciplinary proceeding against Doris Sassower are identified as "Ex 'D-1'" – "Ex. 'D-19'" because they were Exhibits "D-1" – "D-19" to Doris Sassower's January 24, 1994 jurisdictional statement to the Court of Appeals in support of her appeal of right from the Appellate Division's September 20, 1993 decision/order dismissing the *Sassower v. Mangano* Article 78 proceeding. [purple folder #3]

The Appellate Division's September 20, 1993 decision/order dismissing the *Sassower v. Mangano* Article 78 proceeding is the 20th decision/order in a sequence that continues to 27 decision/orders in the disciplinary proceedings.

An inventory of the contents of the color-coded folders in the two cartons is enclosed: 27 Appellate Division decision/orders, 6 Court of Appeals decision/orders, along with a folder of transcripts and a referee report.

In a separate redweld is a copy of appellate submissions before the Second Circuit Court of Appeals in Doris Sassower's subsequent *Sassower v. Mangano, et al.* federal action (94 Civ. 4514 (JES))¹. The record on appeal includes the

¹ Further portions of Doris Sassower's appellate submissions before the Second Circuit Court of Appeals are contained in the appendix to her cert petition, transmitted to you under my January 27, 2003 coverletter. See, in particular, A-221-241, containing Doris Sassower's line-by-line analysis of the appellate panel's September 10, 1997 summary order on the appeal, which was part of her October 10, 1997 motion to vacate it for fraud.

Barry Kamins, Co-Chair/Attorney Discipline Subcommittee

Page Three

February 3, 2003

cert papers in the *Sassower v. Mangano* Article 78 proceeding [A-303-439; A-440-442; A-443-453].

Should you, the Subcommittee on Attorney Discipline, or the Second Department Committee wish to review any of the referred-to documentation not herein transmitted, please let me know and it will be furnished forthwith.

Thank you.

Yours for a quality judiciary,

A handwritten signature in black ink, appearing to read 'Elena Ruth Sassower', with a long, sweeping horizontal line extending to the right.

ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc. (CJA)

Enclosures (as inventoried)

cc: Appellate Division, Second Department Justice Nancy E. Smith
Doris L. Sassower, Director, Center for Judicial Accountability, Inc.

FLAMHAFT LEVY KAMINS HIRSCH & RENDEIRO

COUNSELORS AT LAW

SUITE 3301

16 COURT STREET - BROOKLYN, N.Y. 11241

(718) 237-1900

FAX (718) 624-5626

EMAIL: LAWYERS@FLKHLaw.com

NASSAU COUNTY OFFICE

SUITE 600

170 OLD COUNTRY ROAD

MINEOLA, N.Y. 11501

(516) 248-5322

STEPHEN FLAMHAFT

HAROLD L. LEVY

BARRY KAMINS

MARVIN HIRSCH

ANDREW S. RENDEIRO

February 3, 2003

Received by Hand. Delivery today

2 cartons }
1 Redwell }
1 letter to Barry Kamins, Esq.

1. Matter of Sassower Doris #90-03113
2. DORIS Sassower v. Guy Mangano #93-02925
3. Doris L. Sassower v. Guy Mangano
#94 CV. 4524, #96-7805 (2d Cir.)
Re: legal files of Guy Mangano et al.

Jeanette Perry
Legal assistant
2/3/03 @ 11⁰⁰ am

DECEMBER 14, 1989 DECISION & ORDER ON APPLICATION:

Exhibit "D-1" to the Jurisdictional Statement

This ex parte Order was never served upon DLS, who also was never given notice of the application it purports to grant. The July 31, 1989 committee report, which the Order purports to be the basis for the Appellate Division, Second Department's authorization of disciplinary proceedings against DLS, is an ex parte communication, never provided to DLS nor seen by her.

In the Attorney-General's dismissal motion in the Article 78 proceeding, Assistant Attorney General Sullivan, who made no claim to having read the report, nonetheless asserted that said report "implicitly" relied upon the rarely-used exigency exception of §691.4(e)(5), thereby permitting the Grievance Committee to dispense with the pre-petition requirements of written charges and hearing that DLS was never afforded.

DLS' Cross-Motion in the Article 78 proceeding (¶¶33-47, 51) demonstrated the falsity of Assistant Attorney General Sullivan's claim that the Grievance Committee had proceeded under §691.4(e)(5) and sought discovery (¶¶48-50) of the July 31, 1989 report, as well as the similarly ex parte committee reports upon which the Appellate Division, Second Department thereafter authorized the disciplinary proceedings under the January 28, 1993 Petition ("D-15") and March 25, 1993 Supplemental Petition ("D-16").

Assistant Attorney General Olson's spurious and bad-faith opposition to discovery of those committee reports was demonstrated by DLS' 7/19/93 Affidavit in support of her Cross-Motion (¶¶20-31) and Point VI of her Memorandum of Law (pp. 15-18).

Discussion of the December 14, 1989 ex parte Order can be found in DLS' 11/19/93 Dismissal/Summary Judgment Motion and, specifically, ¶¶12-13, 16, 19, 23-4, 85, underscoring that there were no "findings" of professional misconduct on which the July 31, 1989 report was based since there was no hearing, no recommendation for prosecution based thereon, but only unsworn accusations, controverted by DLS.

OCTOBER 18, 1990 DECISION & ORDER ON MOTION:

Exhibit "D-2" to the Jurisdictional Statement

A concise specification of the multiple errors in this Order can be found, inter alia, at ¶¶29-31 of DLS' 11/19/93 Dismissal/Summary Judgment Motion--the accuracy of which Casella's December 7, 1993 Affirmation in Opposition did not dispute. Such specification amplifies the description of said Order appearing at fn. 10 of the Jurisdictional Statement:

"...the October 18, 1990 Order...contained at least seven pivotal errors--five of which were designed to cover-up the fact that there was neither personal nor subject matter jurisdiction for the October 18, 1990 Order, with the two additional errors palpably prejudicial to Appellant's rights under §691.13(b)(1)."

PAPERS UNDERLYING THE ORDER:

- (1) Casella's Order to Show Cause, signed 5/8/90, for DLS' immediate suspension or court-ordered medical examination [unsupported by the required petition showing the application was authorized by the Committee--which was disputed by DLS and never documented by the Committee by any proof thereof]
- (2) Vigliano's Cross-Motion, dated 6/7/90, for:
 - (A) Dismissal of Casella's Order to Show Cause for:
 - (i) lack of personal jurisdiction;
 - (ii) lack of subject matter jurisdiction;
 - (iii) res judicata and/or collateral estoppel;
 - (iv) invidious selectivity;
 - (v) a false, misleading and/or deceptive presentation by the Grievance Committee;
 - AND
 - (B) A pre-disciplinary hearing on the subject of unconstitutional invidious selectivity; and/or 'double jeopardy', res judicata and/or collateral estoppel.
- (3) Casella's Affirmation in Opposition, dated 6/13/90
- (4) DLS' Reply Affidavit in support of Cross-Motion, verified 6/25/90

NOVEMBER 1, 1990 DECISION & ORDER ON MOTION:

Exhibit "D-3" to the Jurisdictional Statement

This ex parte Order, appointing Max Galfunt as special referee, afforded DLS no opportunity to contest such designation before it was made.

Such Order, not rendered until almost eight months after DLS filed her Verified Answer to the February 6, 1990 Petition, reflects the lack of exigency with which the Appellate Division, Second Department viewed this matter and the fact that, contrary to Assistant Attorney General John Sullivan's false claim in his 5/12/93 motion to dismiss the Article 78 proceeding, the Grievance Committee was not proceeding under the exigency exception of §691.4(e)(5). (See, inter alia, DLS' 7/2/93 cross-motion in the Article 78 proceeding, ¶¶33-47.)

JUNE 12, 1991 DECISION & ORDER ON MOTION:

JUNE 12, 1991 DECISION & ORDER ON MOTION:

JUNE 14, 1991 DECISION & ORDER ON MOTION: "INTERIM" SUSPENSION

Exhibits "D-4", "D-5", and "D-6" to the Jurisdictional Statement

These three Orders were highlighted at ¶23 of DLS' 7/2/93 Cross-Motion in the Article 78 proceeding as dispositive of the necessity for recusal/transfer of the Article 78 proceeding since comparison with the underlying papers show them to be factually and legally unfounded. (See, also, 11/19/93 dismissal/summary judgment motion, ¶¶32-34). The retaliatory motive for the Appellate Division, Second Department's Orders--none of which made any findings--is described in DLS' 6/20/91 Affidavit in support of vacatur/modification (at ¶¶12-13)

PAPERS UNDERLYING THE ORDERS:

- (1) Casella's Order to Show Cause, signed 1/25/91, to immediately and indefinitely suspend DLS for "failure to comply" with the October 18, 1990 Order ("D-2").
[unsupported by the required petition showing the application was authorized by the Committee--which was disputed by DLS and never documented by the Committee]
- (2) Vigliano's Order to Show Cause, signed 1/29/91, to:
(A) vacate the Appellate Division, Second Department's October 18, 1990 Order "for lack of subject matter jurisdiction"; and (B) to discipline Casella for "bringing on an unauthorized and void [May 8, 1990] motion...resulting in...[the] jurisdictionally defective Order dated October 18, 1990..." [interim stay stricken]
- (3) Casella's Affirmation in Opposition, dated 2/5/91, to DLS Order to Show Cause
- (4) Casella's Motion, dated 2/5/91, for sanctions against Vigliano
- (5) Vigliano's Memorandum of Law, dated 2/12/91, in support of his Order to Show Cause and in opposition to Casella's Order to Show Cause
- (6) Vigliano's Affirmation in further support of his OSC and in Opposition to Casella's OSC, dated 2/12/92
- (7) Casella's Affirmation, dated 2/13/91
- (8) Vigliano's Sur-Reply Affirmation, dated 2/20/91, in Opposition to Casella's Order to Show Cause
- (9) Vigliano's Opposing Affirmation, dated 2/20/91, to Casella's motion for sanctions against him

JULY 15, 1991 DECISION & ORDER ON MOTION:

Exhibit "D-7" to the Jurisdictional Statement

This Order denied, without reasons, vacatur or modification of the June 14, 1991 interim suspension Order ("D-6") notwithstanding DLS' stated willingness to submit to an immediate medical examination (§2 of her supporting affidavit)

The Order made no comment upon the political motivations behind the suspension of DLS' license, stemming from her activities as pro bono counsel for the Ninth Judicial Committee--set forth in DLS' motion as part of a request for recusal/transfer (§§12-14 of DLS' supporting affidavit).

PAPERS UNDERLYING THE ORDER:

- (1) Vigliano's Order to Show Cause, dated 6/20/91, to vacate or modify June 14, 1991 interim suspension Order ("D-6") and other relief [interim stay stricken]
- (2) Casella's Affirmation in Opposition, dated 6/21/91

COURT OF APPEALS: SEPTEMBER 10, 1991 DECISION & ORDER IN
MATTER OF DORIS L. SASSOWER

Appeal by Leave

1st Attempt to Obtain Court of Appeals' Review

1. Doris Sassower's Motion for Leave to Appeal (by David Goldstein, Esq.), dated July 18, 1991
2. Affirmation in Opposition of Gary L. Casella, Chief Counsel of Grievance Committee for the Ninth Judicial District, dated July 24, 1991
3. David Goldstein's Affirmation in Further Support of Appellant's Motion for Leave to Appeal, dated August 23, 1991

APRIL 1, 1992 DECISION & ORDER ON APPLICATION:
APRIL 1, 1992 DECISION & ORDER:

Exhibits "D-8" and "D-9" to the Jurisdictional Statement

These ex parte Orders were specifically highlighted at ¶19 of DLS' 7/2/93 Cross-Motion in the Article 78 proceeding as evidencing the necessity for recusal/transfer:

"...by its two Orders dated April 1, 1992...the Second Department, sua sponte, and without any statement of reasons, usurped the delegated function of the Grievance Committee of the Ninth Judicial District by overriding the unanimous vote of the Committee to hold prosecution of the February 6, 1990 Petition 'in abeyance' during the period of [DLS'] interim suspension and misrepresented that the Grievance Committee sought to 'supplement' the February 6, 1990 Petition and 'prosecute additional allegations... In fact, the Grievance Committee made no such application to 'supplement' and 'prosecute additional allegations', as its underlying March 6, 1992 letter plainly showed..." (emphasis in the original)

As set forth in DLS' 11/19/93 dismissal/summary judgment motion (¶59), the April 1, 1992 Decision and Order ("D-9"):

"provides a fortuitous glimpse of what is taking place--to wit, [the Appellate Division, Second Department's] extraordinary readiness to authorize disciplinary prosecutions against [DLS] even where, as reflected by the ex parte March 6, 1992 letter, [the Grievance Committee] had provided it with absolutely no evidentiary basis on which to do so." (emphasis in the original)

PAPERS UNDERLYING THE ORDERS:

- (1) Casella's March 6, 1992 ex parte letter addressed to Presiding Justice Mangano

JUNE 4, 1992 DECISION & ORDER ON MOTION:

Exhibit "D-10" to the Jurisdictional Statement

This Order, when compared with the accompanying Order of the same date, is inconsistent.

PAPERS UNDERLYING THE ORDER:

- (1) 4/15/92 DLS' letter to Presiding Justice Mangano
- (2) 4/20/92 Casella's letter to Presiding Justice Mangano
- (3) 5/12/92 DLS' letter to Presiding Justice Mangano

JUNE 4, 1992 DECISION & ORDER ON MOTION:

Exhibit "D-11" to the Jurisdictional Statement

This ex parte Order appointed Max Galfunt as special referee, with no opportunity afforded DLS to contest such designation before it was made.

Although the Order refers to being based upon 'the papers filed in support of the application and the respondent's papers', DLS had not by that date answered or moved against the Supplemental Petition dated April 9, 1992. Indeed, the accompanying June 4, 1994 Order ("D-10"), reflects that fact.

JULY 31, 1992 DECISION & ORDER ON MOTION:

NOVEMBER 12, 1992 DECISION & ORDER ON MOTION: sua sponte

Exhibit "D-12" and "D-13" to the Jurisdictional Statement

These Orders, which, without reasons, denied DLS' motion for vacatur of the findingless June 14, 1991 Order of interim suspension ("D-6") and imposed upon her maximum costs--notwithstanding her suspension was a fortiori to that in Russakoff, vacated by the Court of Appeals--are described at ¶19 of the Jurisdictional Statement.

PAPERS UNDERLYING THE ORDERS:

- (1) DLS' Order to Show Cause, signed 6/16/92, to, inter alia: (A) renew Vigliano's 6/20/91 Order to Show Cause to vacate 6/14/91 suspension Order; (B) vacate 6/14/91 suspension Order based on Russakoff; (C) vacate Orders of 6/12/91 and 10/18/90; (D) direct an immediate disciplinary investigation of Casella; and (E) if motion is denied, leave to appeal to the Court of Appeals
- (2) Casella's Affirmation in Opposition, dated 6/18/92
- (3) DLS' Affidavit, dated 6/22/92, in Reply and in further support of motion to vacate 6/14/91 suspension Order and other relief
- (4) Casella's Affirmation in Further Opposition, dated 6/26/92
- (5) DLS' letter, dated 6/30/92, in response to Casella's 6/26/92 Affirmation

NOVEMBER 12, 1992 DECISION & ORDER ON MOTION:

Exhibit "D-14" to the Jurisdictional Statement

This Order, combines two separate motions, hereinbelow inventoried, DLS' 6/18/92 motion to dismiss and her 7/3/92 motion to strike. Said Order is identified at ¶¶12 and 13 of the Jurisdictional Statement as reflecting the Appellate Division, Second Department's "refusal...to follow the law as to jurisdiction in the 'underlying disciplinary proceeding'. Indeed, the factual record and controlling law required, inter alia, the granting of DLS' 6/18/92 dismissal motion--much as it required the granting of her subsequent 11/19/93 dismissal/summary judgment motion (Cf., 11/19/93 dismissal/summary judgment motion, ¶¶26-27)

PAPERS UNDERLYING THE ORDERS:

MOTION TO DISMISS:

- (1) DLS' Motion, dated 6/18/92, to: (A) dismiss February 6, 1990 Petition and April 9, 1992 Supplemental Petition; (B) vacating April 1, 1992 Orders; (C) granting disclosure/discovery pursuant to CPLR §408; (D) transfer to another Judicial Department
- (2) Casella's Affirmation in Opposition, dated 7/2/92
- (3) DLS' Affidavit, dated 7/22/92, in Reply in Further Support of Motion to Dismiss and Other Relief

MOTION TO STRIKE:

- (1) DLS' Motion, dated 7/3/92, to: (A) strike Supplemental Petition dated 6/26/92; (B) grant disclosure/discovery pursuant to CPLR §408; (C) direct an immediate disciplinary investigation of Casella; (D) sanctions
- (2) Casella's Affirmation in Opposition, dated 7/7/92
- (3) DLS' Affidavit in Reply and in Further Support of Motion to Strike and Other Relief, dated 7/22/92

NOVEMBER 12, 1992 DECISION & ORDER ON MOTION:

Exhibit "D-15" to the Jurisdictional Statement

This ex parte Order is purportedly based upon a committee report dated July 8, 1992. DLS was never given notice of the application it purports to grant.

The July 8, 1992 report was never furnished DLS, but was transmitted ex parte to the Appellate Division, Second Department and made the basis for prosecution of disciplinary proceedings against her, with no opportunity afforded DLS to be heard with respect thereto.

It may be noted that at the time of the July 8, 1992 committee report, DLS was already suspended from the practice of law. Under such circumstances, there could be no claim of exigency under §691.4(e)(5) so as to permit the Grievance Committee to dispense with the pre-petition requirements of written charges and hearing, which it did. Nonetheless, by this Order the Appellate Division, Second Department authorized the disciplinary proceeding that became the January 28, 1993 Petition and denied her the pre-petition due process to which she was entitled.

Discussion of this ex parte Order, which is internally inconsistent, can be found, inter alia, in DLS' 11/19/93 Dismissal/Summary Judgment Motion and, specifically, ¶¶12-13, 17, 19, 23-4, 70.

COURT OF APPEALS: NOVEMBER 18, 1992 DECISION & ORDER
IN MATTER OF DORIS L. SASSOWER

Appeal of Right

2nd Attempt to Obtain Court of Appeals' Review

1. Doris Sassower's Notice of Appeal, dated September 3, 1992
2. Doris Sassower's Jurisdictional Statement, dated September 3, 1992
3. Letter of Gary Casella, Chief Counsel of Grievance Committee for the Ninth Judicial District, dated September 16, 1992
4. Doris Sassower's Affidavit in Support of Jurisdiction for Appeal as of Right, dated October 14, 1992

MARCH 17, 1993 DECISION & ORDER ON MOTION:

Exhibit "D-16" to the Jurisdictional Statement

This ex parte Order is purportedly based upon a committee report dated December 17, 1992. DLS was never given notice of the application it purports to grant.

The December 17, 1992 report was never furnished DLS, but was transmitted ex parte to the Appellate Division, Second Department and made the basis for prosecution of disciplinary proceedings against her, without DLS being afforded an opportunity to be heard with respect thereto.

At the time of the December 17, 1992 report, DLS was already suspended from the practice of law. Under such circumstances, there could be no claim of exigency under §691.4(e)(5) so as to permit the Grievance Committee to dispense with the pre-petition requirements of written charges and hearing, which it did. Nonetheless, by this Order, the Appellate Division, Second Department authorized the disciplinary proceeding that became the March 25, 1993 Supplemental Petition and denied her the pre-petition due process to which she was entitled.

Discussion of this ex parte Order, can be found in DLS' 11/19/93 Dismissal/Summary Judgment Motion and, specifically, ¶¶12-13, 19, 23-4, 73-75.

APRIL 22, 1993 DECISION & ORDER ON MOTION:

Exhibit "D-17" to the Jurisdictional Statement

This Order is described at ¶¶19-20 of the Jurisdictional Statement as demonstrating the invidiousness and malice with which the Appellate Division, Second Department has, notwithstanding Matter of Russakoff, denied DLS a hearing on her interim suspension and a final order--thereby preventing review by the Court of Appeals.

PAPERS UNDERLYING THE ORDER:

- (1) DLS' motion, dated 12/14/92, for: (A) reargument, renewal, and reconsideration of Appellate Division, Second Department's sua sponte November 12, 1992 Order ("D-13"), amending its July 31, 1992 Order ("D-12") and, alternatively, (B) directing an immediate post-suspension hearing as to the basis of the June 14, 1991 suspension Order ("B-6"); (C) certifying as a question of law to the Court of Appeals whether Russakoff controls the case at bar so as to require vacatur.
- (2) Casella's Affirmation in Opposition, dated 12/24/92
- (3) DLS' Reply Affidavit, dated 2/24/93
- (4) DLS' Supplemental Affidavit, dated 3/8/93

MAY 24, 1993 DECISION & ORDER ON MOTION:

Exhibit "D-18" to the Jurisdictional Statement

This Order, improperly combining two separate and unrelated motions, is discussed, inter alia, at ¶¶47-49 of DLS' 11/19/93 dismissal/summary judgment motion.

PAPERS UNDERLYING THE ORDER:

MOTION TO VACATE PETITION DATED JANUARY 28, 1993:

- (1) DLS' motion, dated 2/22/93, to vacate service and dismiss the January 28, 1993 Petition for lack of personal jurisdiction
- (2) Casella's Affirmation in opposition, dated 3/2/93
- (3) DLS' Reply Affidavit, dated 3/8/93

MOTION TO VACATE SUPPLEMENTAL PETITION DATED MARCH 25, 1993:

- (1) DLS' motion, dated 4/14/93, to vacate service and dismiss the March 25, 1993 Supplemental Petition for lack of personal jurisdiction
- (2) Casella's Affirmation in opposition, dated 4/22/93

SEPTEMBER 20, 1993 DECISION & ORDER ON MOTION:

Exhibit "D-19" to the Jurisdictional Statement

The indefensibility of this Order is summarized, inter alia, at ¶¶47-49 of DLS' 11/19/93 dismissal/summary judgment motion.

PAPERS UNDERLYING THE ORDER:

- (1) DLS' motion, dated 6/14/93, for reargument and renewal of the May 24, 1993 Order ("D-18"), and other relief, including recusal/transfer to another Judicial Department
- (2) Casella's Affirmation in Opposition, dated 6/23/93
- (3) DLS' Reply Affidavit, verified 7/9/93

#20: APPELLATE DIVISION, SECOND DEPARTMENT'S SEPTEMBER 20, 1993 DECISION & ORDER IN DORIS L. SASSOWER v. GUY MANGANO, ET AL. ARTICLE 78 PROCEEDING (AD #93-02925)

1. Doris Sassower's Notice of Petition and Verified Petition, dated April 28, 1993
2. Attorney General's Notice of Motion to Dismiss the Petition, dated May 12, 1993, with Affirmation by Assistant Attorney General John J. Sullivan)
3. Attorney General's Memorandum of Law in Support of Dismissal Motion, dated May 13, 1993 (by Assistant Attorney General John J. Sullivan)
4. Doris Sassower's Order to Show Cause with TRO/Affidavit in Opposition to Attorney General's Dismissal Motion and in Support of Omnibus Cross-Motion, dated July 2, 1993
5. Attorney General's Memorandum in Opposition to Petitioner's Cross-Motion, dated July 12, 1993 (by Assistant Attorney General Carolyn Cairns Olson)
6. Doris Sassower's July 19, 1993 Affidavit in Further Opposition to Attorney General's Dismissal Motion and in Further Support of Omnibus Cross-Motion for a Stay and Other Relief
7. Doris Sassower's July 19, 1993 Memorandum of Law in Opposition to Attorney General's Dismissal Motion and in Support of Her Cross-Motion

TRANSCRIPTS OF HEARINGS ON FEBRUARY 6, 1990
DISCIPLINARY PETITION:

9/27/93

9/28/93

9/29/93

1/11/94

#21 NOVEMBER 4, 1993 DECISION & ORDER ON MOTION:

#22 JANUARY 28, 1994 DECISION & ORDER ON DISMISSAL/SUMMARY JUDGMENT MOTION:

Underlying Papers

- (1) Doris Sassower's 11/19/93 motion for dismissal/summary judgment & other relief
- (2) Compendium of exhibits supporting motion for dismissal/summary judgment
- (3) Casella's 12/7/93 opposing affirmation
- (4) Sassower's 12/10/93 letter to Presiding Justice Mangano

#23 JANUARY 28, 1994 DECISION & ORDER ON MOTION TO STAY, ETC.:

Underlying Papers

- (1) Vigliano's order to show cause, signed on 1/10/94 by Justice William Thompson, with TRO stricken, returnable 1/18/94, with Vigliano's supporting affirmation and affidavit of Doris L. Sassower
- (2) Vigliano's supporting memorandum of law, 1/9/94
- (3) Casella's 1/13/94 opposing affirmation

COURT OF APPEALS: MAY 14, 1994 DECISION & ORDER IN
SASSOWER V. MANGANO ARTICLE 78 PROCEEDING

Appeal of Right

3rd Attempt to Obtain Court of Appeals' Review

1. Doris Sassower's Jurisdictional Statement, dated January 24, 1994
2. Attorney General's letter, on behalf of Respondents, dated February 11, 1994
(by Assistant Attorney General John J. Sullivan)
3. Letter of Evan S. Schwartz, Esq, attorney for Doris L. Sassower, dated March 14, 1994

#24 MAY 16, 1994 DECISION & ORDER ON MOTION:

Underlying Papers

- (1) Vigliano's 4/8/94 letter to Martin Brownstein, Clerk, transmitting his motion and supporting affidavit, returnable 4/21/94
- (2) Martin Brownstein's 4/21/94 letter to Doris L. Sassower
- (3) Martin Brownstein's 4/21/94 letter to Vigliano
- (4) Casella's 4/22/94 letter to Referee Max Galfunt
- (5) Vigliano's faxed 4/29/94 letter to Court, ATT: Mel Harris, Deputy Clerk
- (6) Mel Harris' 4/29/94 letter to Vigliano
- (7) Casella's 5/4/94 responding affirmation
- (8) Sassower's 5/10/94 letter to Court, ATT: Mel Harris

#25 AUGUST 12, 1994 DECISION & ORDER ON MOTION:

Underlying Papers

- (1) Vigliano's 6/30/94 letter to Martin Brownstein, Clerk, transmitting his motion and supporting affirmation, returnable 7/15/94
- (2) Casella's undated responding affirmation
- (3) Doris Sassower's 7/15/94 letter to Presiding Justice Mangano

**HEARING ON VIGLIANO WITHDRAWAL, ETC. ORDERED BY 8/12/94
DECISION & ORDER [#25]:**

- (1) Casella's 8/15/94 letter to Vigliano
- (2) Casella's 8/18/94 letter to Vigliano
- (3) Doris Sassower's 8/22/94 letter to Casella
- (4) Casella's 8/22/94 letter to Sassower
- (5) Sassower's 8/22/94 letter to Casella
- (6) Transcript of August 23, 1994 hearing before Referee Galfunt
- (7) Casella's 8/25/94 letter to Vigliano, with Vigliano's hand-written instructions to Elena Sassower
- (8) Elena Sassower's 8/26/94 letter to Referee Galfunt
- (9) Casella's 9/23/94 letter to Referee Galfunt
- (10) Sassower's 9/30/94 letter to Referee Galfunt
- (11) Casella's 10/5/94 letter to Referee Galfunt
- (12) Martin Brownstein's 11/16/94 letter to Vigliano
- (13) Sassower's 11/28/94 letter to Brownstein
- (14) Vigliano's 11/30/94 letter to Brownstein
- (15) 12/5/94 letter of Appellate Court Clerk Linda Clerk to Doris L. Sassower, enclosing 11/7/94 Report of Referee Galfunt
- (16) Vigliano's 1/4/95 letter to Brownstein

**COURT OF APPEALS: SEPTEMBER 29, 1994 DECISION & ORDER IN
SASSOWER V. MANGANO ARTICLE 78 PROCEEDING:**

Reargument of Appeal of Right/Leave to Appeal

4th Attempt to Obtain Court of Appeals' Review

1. Doris Sassower's Notice of Motion for Reargument, Reconsideration, Leave to Appeal, and Other Relief, dated July 19, 1994
2. Attorney General's Memorandum of Law in Opposition (by Assistant Attorney General Abigail I. Petersen (of counsel), Solicitor General Jerry Boone, dated August 4, 1994
3. Doris Sassower's Affidavit in Reply and in Further Support of Motion, dated August 8, 1994

#26 FEBRUARY 24, 1995 DECISION & ORDER ON MOTION:

Underlying Papers

- (1) Casella's 12/13/94 motion and supporting affirmation, returnable 1/6/95
- (2) Doris Sassower's 1/6/95 opposing affirmation
- (3) Casella's 1/12/95 letter to Martin Brownstein

#27 JUNE 23, 1995 DECISION & ORDER ON MOTION:

Underlying Papers

- (1) Doris Sassower's 3/27/95 motion with supporting affidavit
- (2) Casella's 4/4/95 opposing affirmation
- (3) Sassower's 5/1/95 affidavit in reply and further support
- (4) Sassower's 5/1/95 notice of right to seek intervention

COURT OF APPEALS: FEBRUARY 20, 1996 DECISION & ORDER IN
MATTER OF DORIS L. SASSOWER

Appeal of Right

5th Attempt to Obtain Court of Appeals' Review

1. Doris Sassower's Letter of Donald M. Sheraw, Clerk of the Court of Appeals, dated November 15, 1995
2. Doris Sassower's Jurisdictional Statement, dated November 15, 1995
3. Mr. Sheraw's letter to Doris Sassower, dated November 27, 1995
4. Doris Sassower's Letter to Mr. Sheraw, dated December 6, 1995
5. Notice of Motion to Dismiss Appeal of Matthew Renert, "of counsel to Gary L. Casella", Chief Counsel of Grievance Committee for the Ninth Judicial District, dated December 6, 1995
6. Doris Sassower's Affidavit in Opposition to Petitioner-Respondent's Motion to Dismiss Respondent-Appellant's Appeal of Right, dated December 26, 1995

COURT OF APPEALS: JUNE 11, 1996 DECISION & ORDER IN
MATTER OF DORIS L. SASSOWER

Reargument of Appeal of Right /Leave to Appeal

6th Attempt to Obtain Court of Appeals' Review

1. Doris Sassower's Notice of Motion for Recusal, Reargument, Reconsideration, and Leave to Appeal, dated March 27, 1996
2. Notice of Cross-Motion of Matthew Renert, "of counsel to Gary L. Casella", Chief Counsel of Grievance Committee for the Ninth Judicial District, dated April 8, 1996
3. Doris Sassower's Affidavit in Opposition to Cross-Motion and in Further Support of her Motion, dated April 18, 1996

SASSOWER v. MANGANO, ET AL. FEDERAL ACTION
(Second Circuit Court of Appeals: Docket #96-7805)

- (1) Appellant's Brief, 1/10/97
- (2) Record on Appeal
- (3) Defendants' Brief, 3/4/97
- (4) Appellant's Reply Brief, 4/1/97
- (5) Appellant's Petition for Rehearing with Suggestion for Rehearing *In Banc*