

GEORGE SASSOWER

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April 8, 1994

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

Re: Chairperson JUDITH S. KAYE
Chief Admin. Judge E. LEO MILONAS

Dear Mr. Stern,

1a. The Rules of the OFFICE OF COURT ADMINISTRATION ["OCA"], having the force of a statutory mandates, provide that an accounting must be filed by a court-appointed receiver "at least once a year" (22 NYCRR §202.52[e]). This obligation is imposed upon the receiver, in addition to the "duty" imposed upon the N.Y. State Attorney General and the right of every creditor to demand an accounting (Bus. Corp. Law §1216[a]).

b. The Rules of the Chief Judge, Part 26 & 36, also having the force of statutory mandates, as non-discretionary obligations, provide additional informational requirements in the Judiciary Law 35-a filings with OCA.

2a(1) The above mandates notwithstanding, since PUCCINI CLOTHES, LTD. ["Puccini"] was involuntarily dissolved on June 4, 1980 -- almost fourteen (14) years ago -- not a single accounting has been filed.

(2) Any true accounting would reveal that all of Puccini's judicial trust assets were made the subject of larceny by the criminal entourage of KREINDLER & RELKIN, P.C. ["K&R"] and FELTMAN, KARESH, MAJOR & FARBMAN, Esqs.

b(1) LEE FELTMAN, Esq. ["Feltman"], the court-appointed receiver, in consideration for his concealment of the aforementioned larceny and not making any attempt at recovery on behalf of his judicial trust, was to be given the balance of Puccini's tangible assets, or about \$700,000.

(2) Because of the statutory maximum, as contained in Bus. Corp. Law §1217 (Matter of Kane, 75 N.Y.2d 511, 554 N.Y.S.2d 457, 553 N.E.2d 1005 [1990]), which Feltman conceded was \$7,667.27, such approximate sum of \$700,000 was transferred to his law firm, FKM&F, who for various reasons, legal and otherwise, were not entitled to anything.

(3) Referee DONALD DIAMOND ["Diamond"], who has no authority to award fees (CPLR §4317[b]), was the vehicle for more than \$550,000 in such, ex parte, transfer to FKM&F.

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(4) Neither Referee Diamond, nor Judge DAVID B. SAXE ["Saxe"] who also made ex parte awards, have ever filed their Judiciary Law §35-a Statements, as confirmed by OCA.

3a. Inspector General of the OCA, WILLIAM J. GALLAGHER ["Gallagher"], knows of the aforementioned criminal activity, insofar as they relate to OCA, is in possession of the essential documentation, and is aware of his obligations where criminal conduct is involved.

b. Chairperson JUDITH S. KAYE ["Kaye"] and Chief Administrative Judge E. LEO MILONAS ["Milonas"] are also aware of the aforementioned criminal racketeering activities, particularly as they relate to OCA.

4a. Given the prior relationship of Chief Administrative Judge Milonas with Presiding Justice FRANCIS T. MURPHY ["Murphy"], Administrator XAVIER C. RICCOBONO ["Riccobono"], and his own transactional involvement in a Referee Diamond-Puccini matter of criminal magnitude, Chief Administrative Judge Milonas, was compelled to appointed someone completely independent of himself in this matter.

b. However, Chief Administrative Judge Milonas is aware that he must remain on the helm in order to frustrate, abort and stonewall any and all remedial action relating to Puccini in order to aid and advance the racketeering activities of Presiding Justice Murphy and former Administrative Judge Riccobono.

c. The aforementioned has not been lost on Gallagher, as Chairperson Kaye and Chief Administrative Judge Milonas are aware, and that for his personal, job security, interests, no action will taken in the Puccini matter to remedy the extant conditions.

d. If you entertain any doubt as to Mr. Gallagher's inaction, or the unlawful reasons for same, you simply need ask him.

5. To repeat, there can be no lawful reason advanced for the failure of Chairperson Kaye and/or Chief Administrative Judge Milonas to insist that an accounting for Puccini's judicial trust assets and that Judiciary Law §35-a Statements, be immediately filed.

Respectfully submitted,

GEORGE SASSOWER

cc: Chairperson Judith S. Kaye
Ch. Adm. Judge E. Leo Milonas
William J. Gallagher, Esq.