

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X
In the Matter of the Application of THE PEOPLE
OF THE STATE OF NEW YORK, ex rel., GEORGE
SASSOWER, individually and on behalf of those
similarly situated, and on behalf of UNITED
PRESS, INTERNATIONAL; THE ASSOCIATED PRESS;
THE WALL STREET JOURNAL; THE NEW YORK TIMES;
THE NEW YORK NEWS; NEW YORK POST; NEWSDAY;
THE VILLAGE VOICE; GANNETT, INC.; AMSTERDAM NEWS;
NEWSWEEK; TIME; U.S. NEWS AND WORLD REPORTS;
NEW YORK MAGAZINE; BUSINESS WEEK; FORBES;
WCBS; WNBC; WNYW; WABC; WWOR; WPIX; and WNET,
Petitioner,

Index No.
12941-1988

Assigned to:
Hon. GERARD E.
DELANEY

-against-

THE OFFICE OF COURT ADMINISTRATION; ROBERT
ABRAMS, as Attorney General of the
State of New York; SHERIFF OF WESTCHESTER
COUNTY; and ALL POLICE and PEACE OFFICERS
OF THE STATE OF NEW YORK,

Respondents.

For a Writ of Mandamus, Prohibition, and
Procedendo ad Justiciam.

RECEIVED

OCT 3 1988

CHIEF CLERK
WESTCHESTER SUPREME
AND COUNTY COURTS

-----X
S I R S:

PLEASE TAKE NOTICE that upon the annexed affidavit
of GEORGE SASSOWER, Esq., duly sworn to on the 25th day of
September, 1988, and upon all the pleadings and proceedings had
herein, the undersigned will move this Court, at the Individual
Assignment Part of Hon. GERARD E. DELANEY, at the Courthouse
thereof, 111 Grove Street, White Plains, New York, 10601, on the
~~10th~~ ^{11th} day of October, 1988, at 9:30 o'clock in the forenoon of
that day or as soon thereafter as Counsel may be heard, for an
Order (1) restraining the NEW YORK LAW JOURNAL from publishing
and/or continuing the publication of the fraudulent Business
Corporation Law §1205 application of LEE FELTMAN to resign as the

receiver for PUCCINI CLOTHES, LTD. (2) to compel the publication of a retraction of said fraudulent application by and at the cost and expense of the respondents, OFFICE OF COURT ADMINISTRATION and/or ROBERT ABRAMS, Esq. (3) to compel the publication of a retraction of the sham legal notices published in the NEW YORK TIMES and NEW YORK LAW JOURNAL in or about September of 1985, concerning the settlement of the final account of LEE FELTMAN, Esq., for PUCCINI CLOTHES, LTD., also at the cost and expense of the OFFICE OF COURT ADMINISTRATION and/or ROBERT ABRAMS, Esq.; (4) to compel the OFFICE OF COURT ADMINISTRATION and/or ROBERT ABRAMS, Esq. to take such steps as may be necessary so as to cause the return of monies and other considerations to PUCCINI CLOTHES, LTD., as were received by, and/or disbursed on behalf of, FELTMAN, KARESH, & MAJOR, Esqs., FELTMAN, KARESH, MAJOR & FARBMAN, Esqs., and/or RASHBA & POKART; (5) to compel the OFFICE OF COURT ADMINISTRATION and/or ROBERT ABRAMS, Esq., to take such steps as may be necessary to cause the monies and other considerations received by FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. and RASHBA & POKART from third parties, while acting as fiduciaries for PUCCINI CLOTHES, LTD., for the purpose of turning same over to PUCCINI CLOTHES, LTD.; (6) together with such other, further, and/or different relief as to this Court may seem just

and proper in the premises.

PLEASE TAKE FURTHER NOTICE, that opposing papers, if any, are to be served upon the undersigned at least two (2) days before the return date of this motion, with an additional five (5) days if service is by mail.

Dated: September 25, 1988

Yours, etc.,

GEORGE SASSOWER, Esq.
Attorney, pro se
16 Lake Street,
White Plains, New York 10603
914-949-2169

To: Office of Court Administration
Hon. Robert Abrams
Hon. Marilyn J. Slaatten
New York Law Journal
New York Times

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

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-----X
STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

GEORGE SASSOWER, Esq., first being duly sworn,
deposes, and says:

This affidavit is made in support of a motion to
(1) restrain the NEW YORK LAW JOURNAL from publishing and/or
continuing the publication of the fraudulent Business Corporation
Law §1205 application of LEE FELTMAN ["Feltman"] for permission
to resign as the receiver for PUCCINI CLOTHES, LTD. ["Puccini"];
(2) to compel the publication of a retraction of said fraudulent
application at the cost and expense of the respondents, OFFICE OF
COURT ADMINISTRATION ["OCA"] and/or ROBERT ABRAMS, Esq.
["Abrams"]; (3) to compel the publication of retractions of the
sham legal notices published in the NEW YORK TIMES and NEW YORK

LAW JOURNAL in or about September of 1986, concerning Feltman's settlement of his final account, also at the cost and expense of OCA and/or Abrams; (4) to compel OCA and/or ABRAMS to take such steps as may be necessary so as to cause the return of monies and other considerations to Puccini, as were received by, and/or disbursed on behalf of, FELTMAN, KARESH, & MAJOR, Esqs. ["FK&M"], FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. ["FKM&F"], and/or RASHBA & POKART ["R&P"]; (5) to compel OCA and/or ABRAMS to take such steps as may be necessary to cause the monies and other considerations received by FKM&F and R&P from third parties, while acting as Puccini's fiduciaries, for the purpose of turning same over to Puccini; (6) together with any other, further, and/or different relief as to this Court may seem just and proper in the premises.

1. Deponent does not oppose any application of Feltman to resign provided, (a) it is at his own cost and expense; (b) he forfeits the right of any compensation from Puccini; and (c) he complies, in all respects, with the terms and conditions set forth in Business Corporation Law §1215[b] -- and not otherwise.

2a. Deponent is a creditor, judgment and otherwise, of Puccini -- "the judicial fortune cookie" -- which was involuntarily dissolved on June 4, 1980 by Order of the Supreme Court of the State of New York, County of New York, a Court clearly "Unfit for Human Litigation".

b. For Puccini, deponent, and others, it was "The

Inferno"!

c. The present Business Corporation Law §1204 bond of five hundred thousand dollars (\$500,000) is patently insufficient to cover the losses sustained by Puccini and/or "the people" as a result of Feltman's misconduct and infamy.

3a. Annexed hereto (Exhibit "A") is a copy of an Order, noticed for settlement for September 29, 1988.

b. Since there was no opposition to deponent's underlying motion, deponent assumes that it will be signed substantially as provided therein.

c. The terms of such proposed Order speak eloquently and loudly.

4a. Referee DONALD DIAMOND ["Diamond"], of New York County, has now signed an Order to Show Cause, dated September 15, 1988, permitting, inter alia, Feltman's resignation (Exhibit "B"), pursuant to Business Corporation Law §1215.

b. Business Corporation Law §1215 provides:

"(a) A receiver may petition the court appointing him for an order to show cause why he should not be permitted to resign. (b) The petition shall be accompanied by a verified account of all the assets of the corporation received by him, of all payments or other disposition thereof made by him, of the remaining assets of the corporation in respect to which he was appointed receiver and the situation of the same, and of all his transactions as receiver. Thereupon, the court shall grant an order directing notice to be given ..." [emphasis supplied]

c. Referee DONALD DIAMOND (1) is not "the court"; (2) no "verified account" of Puccini, and other information, financial and otherwise, required by statute for a §1215 order to

show cause was made part of this Feltman petition; and (3) the Order was not entered by the County Clerk's Office.

5a. Referee DONALD DIAMOND is a corrupt judicial officer attached to Supreme Court, New York County, corruptly appointed, and operates out of a non-public courtroom.

b. The outer limits of Referee Diamond's power and authority is, at best, (CPLR §4317[b]):

"to determine a cause of action or an issue where the trial will require the examination of a long account, including actions to foreclose mechanic's liens; or to determine an issue of damages separately triable and not requiring a trial by jury; or where otherwise authorized by law."

c. Referee DONALD DIAMOND is not "the court", and had absolutely no authority to issue such Order to Show Cause, dated September 15, 1988.

d. When "the court" issues an ex parte order, with interim relief, as here, there is available immediate access to the Appellate Division (CPLR §5704[a]), but not when it is issued by Referee Diamond.

6a. The statute is clear -- before an order to show cause may be issued, the receiver must comply with the financial and other disclosure aspects of his receivership, clearly and wholly absent in the present application signed by Referee DONALD DIAMOND.

b. This is a deliberate and intentional omission in the Feltman application, since despite the judicial mandate, containing no exceptions whatsoever -- an accounting must be filed "at least once a year" (22 NYCRR §202.52[e]), and no

accounting has ever been filed -- not one -- for Puccini although more than eight (8) years have elapsed since it was involuntarily dissolved.

c. Furthermore, despite the imposed "duty" of Abrams, the statutory fiduciary, permitting no discretion whatsoever, that he move to compel settlement of a filed accounting and distribution of the assets after the expiration of eighteen (18) months, in the more than ninety-nine (99) months that have elapsed, Abrams has not made a single Business Corporation Law §1216[a] application -- not one!

7a. Puccini's judicial trust assets were made the subject of massive larceny by CITIBANK, N.A. ["Citibank"] and JEROME H. BARR, Esq. ["Barr"], the clients of KREINDLER & RELKIN, P.C. ["K&R"], aided and abetted by NACHAMIE, KIRSCHNER, LEVINE & SPIZZ ["NKL&S"], as the respondents have known for a long time.

b. As the respondents also know, K&R, NKL&S, and Citibank "bribed" Feltman, the court appointed receiver not to expose such larceny or make any attempt at recovery, and in exchange Feltman was to receive the balance of Puccini's judicial trust assets.

c. Since Feltman's fee is set by statute (Business Corporation Law §1217), the vehicle for such "bribe" payments was to be his law firms, to wit., FELTMAN, KARESH & MAJOR, Esqs. [FK&M] and/or FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. ["FKM&F"].

8a. An accounting must be filed "at least once a year" and also before an order to show cause granting leave of a

receiver to resign. Such mandated accounting would reveal the aforementioned larceny and diversion of assets by Feltman's co-conspirators.

b. Abrams is the statutory fiduciary of Puccini, with trust responsibilities, and must insist that such constitutional "person" be protected.

c. OCA has administrative responsibilities for the proper handling of judicial trust assets, and must give obedience to the law and its own administrative rules on the subject.

d. Both Abrams and OCA have known for years that Feltman was criminally betraying his judicial trust and they have actively aided, abetted, and facilitated such criminal adventure by the court's agent.

9a. Except in very limited situations, not here pertinent, a judicial document, including an Order, has legal effect only after it is entered by the County Clerk, at which point they are open to public inspection.

b. The judicial documents that are tendered to or come from Referee DONALD DIAMOND are not filed in the County Clerk's Office, where they may be inspected by the interested parties, the public, and the media, but are privately kept, not recorded on any judicial computer or book, and at times, destroyed, by Referee DONALD DIAMOND.

10. In short -- there is no statutory authority for the publication of Feltman's request to resign, which was signed

by Referee Donald Diamond, and publication must be enjoined, and retraction notices published.

11a. Similarly, the published notices in the New York Times (Exhibit "C-1") and New York Law Journal (Exhibit "C-2") in September 1986 about the settlement of a final account for Puccini, was a sham and a fraud, and had the active participation of the Office of the Attorney General, as well as Referee DONALD DIAMOND.

b. There was no accounting filed, intended, or planned, nor any settlement thereof, for October 30, 1986 or at any other time. The accounting which was made the subject of newspaper publication was "phantom".

c. The "Notice of Receiver's application for leave to file final accounting", dated September 26, 1986 (Exhibit "D"), a copy of which was never filed with the County Clerk (Exhibit "E"), states that Feltman requests "an order ... approving the annexed final account of the Receiver for Puccini Clothes, Ltd." [emphasis supplied].

d. However, there is no "final account" annexed, although the Attorney General's Office consented to the settlement thereof.

e. Indeed, FKM&F and R&P extorted monies from HYMAN RAFFE ["Raffe"] for such "phantom" accounting proceedings (Exhibit "F").

f. These published frauds must be retracted by published notices in The New York Times, New York Law Journal,

and elsewhere with a clear statement that the original publications were a judicial hoax.

12a. Approximately one million dollars (\$1,000,000) was received or disbursed on behalf of FK&M, FKM&F, and/or R&P, although they were not appointed in accordance with 22 NYCRR §660.24, or any other provision of the law.

b. Additionally, no Judiciary Law §35-a statements were filed by the corrupt jurists who made awards to those firms (Exhibit "G"), which included Referee DONALD DIAMOND, proceedings wherein deponent was not permitted to participate.

c. 22 NYCRR §660.24[f], as it existed at the time in question, read as follows:

"Any appointment made without following the procedure provided in this section, shall be null and of no effect and no person so appointed shall be entitled to recover any compensation for the services rendered or claimed to have been rendered."

d. Since neither FK&M, FKM&F, nor R&P were appointed pursuant to 22 NYCRR §660.24, the monies they took from Puccini must be returned, and it is the obligation of Abrams and OCA to obtain the return of same.

13a. FKM&F and R&P, together with their co-conspirators, having "cleaned out" Puccini of all its tangible assets, then involved themselves in extortion, employing their status as Puccini's fiduciaries to obtain additional funds.

b. HYMAN RAFFE ["Raffe"], a man over seventy (70) and a multi-millionaire, became a natural object of their extortion practices.

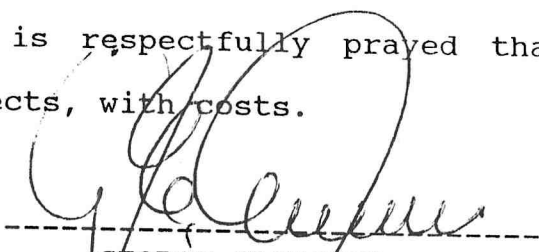
c. FKM&F and their co-conspirators would obtain their manifestly unconstitutional trialless convictions, and then extort monies and other considerations from Raffé in lieu of his being incarcerated.

d. In Raffé's words "they are bleeding me to death".

e. Since FKM&F and R&P employed their fiduciary status on behalf of Puccini to obtain such assets, such assets, or their monetary equivalent, must be turned over to Puccini.

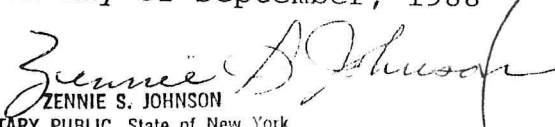
f. The means that can be employed by Abrams and OCA to recover such monies, assets and/or considerations, are clearly within their power.

WHEREFORE, it is respectfully prayed that this motion be granted in all respects, with costs.



GEORGE SASSOWER

Sworn to before me this
25th day of September, 1988


ZENNIE S. JOHNSON
NOTARY PUBLIC, State of New York
No. 60-1988095
Qualified in Westchester County
Term Expires 10/31/89

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

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-against-

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ABRAMS, as Attorney General of the
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COUNTY; and ALL POLICE and PEACE OFFICERS
OF THE STATE OF NEW YORK,

Respondents.

For a Writ of Mandamus, Prohibition, and
Procedendo ad Justiciam.

-----x
S I R S:

PLEASE TAKE NOTICE that an Order of which the
within is a true copy will be presented for settlement to the
Hon. GERARD E. DELANEY, one of the judges of the within Court at
Chambers on September 29, 1988, at 10:00 o'clock in the forenoon
of that day.

Dated: September 22, 1988

Yours, etc.,

GEORGE SASSOWER, Esq.
Attorney, pro se
16 Lake Street,
White Plains, N.Y. 10603
914-949-2169

To: Hon. Robert Abrams, Attorney General, State of New York
Hon. Albert M. Rosenblatt, Chief Administrator OCA
Hon. Marilyn J. Slaatten, Westchester Co. Attorney

Exhibit "A"

At an Individual
Assignment Part of the Supreme
Court of the State of New
York, County of Westchester,
held at the Courthouse
thereof, 111 Grove Street,
White Plains, New York, on the
day of September, 1988

PRESENT: Hon. GERARD E. DELANEY,
Justice.

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OF THE STATE OF NEW YORK,
Respondents.

For a Writ of Mandamus, Prohibition, and
Procedendo ad Justiciam.

-----X
Relator, above-named having moved this Court for
for (1) a preliminary affirmative injunction against the
respondent OFFICE OF COURT ADMINISTRATION, compelling the removal
of Administrator XAVIER C. RICCOBONO, as Administrative Judge of
Supreme Court, New York County, in all matters involving relator
and/or PUCCINI CLOTHES, LTD., and for other relief, and on
reading and filing the Notice of Motion dated the 11th day of
September, 1988; the affidavit of GEORGE SASSOWER, Esq., duly
verified the 11th day of September, 1988; the Notice of Petition

and Petition, dated and verified the 9th day of September, 1988, all in support of said motion, all with acknowledgment of service contained thereon; the affirmation of BRIAN J. POWERS, Esq., dated September 19, 1988 on behalf of the Sheriff of Westchester County, and the other respondents having not opposed said application, and due deliberation having been had thereon,

NOW, on motion of relator, GEORGE SASSOWER, Esq.,
it is

ORDERED, that the motion be and the same is hereby granted in all respects, and it is further

ORDERED, that a preliminary affirmative injunction be issued against the OFFICE OF COURT ADMINISTRATION compelling the removal of Administrator XAVIER C. RICCOBONO, as Administrative Judge of Supreme Court, New York County, in all matters involving relator and/or PUCCINI CLOTHES, LTD.; and it is further

ORDERED, that a preliminary affirmative injunction be issued against the OFFICE OF COURT ADMINISTRATION compelling an accounting from the OFFICE OF COURT ADMINISTRATION and/or the court's agent, with respect to the judicial trust assets of PUCCINI CLOTHES, LTD., a corporation which was involuntarily dissolved on June 4, 1980; and it is further

ORDERED, that a preliminary affirmative injunction be issued against ROBERT ABRAMS, the Attorney General of the State of New York, compelling that he comply with the mandate contained in Business Corporation Law §1216[a], by making application for the settlement of an accounting for PUCCINI CLOTHES, LTD., and distribution of its assets; and it is further

ORDERED, that a preliminary affirmative injunction against the OFFICE OF COURT ADMINISTRATION, compelling the filing of a sufficient Business Corporation Law §1204 bond for PUCCINI CLOTHES, LTD.; and it is further

ORDERED, that a preliminary affirmative injunction be issued against the OFFICE OF COURT ADMINISTRATION compelling the opening of the Courtroom facilities of Referee DONALD DIAMOND and admittance to all persons thereto, including the relator, during judicial proceedings; and it is further

ORDERED, that a preliminary affirmative injunction be issued against the OFFICE OF COURT ADMINISTRATION, compelling the public filing of the judicial papers [CPLR 2102] privately held and/or secreted by Referee DONALD DIAMOND; and it is further

ORDERED, that a preliminary affirmative injunction be issued against the OFFICE OF COURT ADMINISTRATION, prohibiting the computer manipulation by Administrator XAVIER C. RICCOBONO, in all matters involving relator and/or PUCCINI CLOTHES, LTD., particularly as such manipulations directly or indirectly affect the "non-waivable" "random selection process"; and it is further

ORDERED, that a preliminary affirmative injunction be issued against the OFFICE OF COURT ADMINISTRATION, compelling the computer correction of the litigation involving the dissolution of PUCCINI CLOTHES, LTD., to reflect the "random selection" of Mr. Justice MARTIN B. STECHER, and not Mr. Justice IRA GAMMERMAN; and it is further

ORDERED, that a preliminary affirmative injunction be issued against the OFFICE OF COURT ADMINISTRATION in prohibiting the enforcement of any any Order not reflected on the computer, wherein PUCCINI CLOTHES, LTD., or relator are involved; and it is further

ORDERED, that a preliminary affirmative injunction be issued against the OFFICE OF COURT ADMINISTRATION affording relator access to all the courts, including New York County, for legitimate legal relief; and it is further

ORDERED, that a preliminary affirmative injunction be issued against the OFFICE OF COURT ADMINISTRATION compelling the assignment of a jurist to hear and determine relator's prohibition [double jeopardy] applications with respect to the Estate of EUGENE PAUL KELLY, deceased; and it is further

ORDERED, that a preliminary affirmative injunction be issued against the OFFICE OF COURT ADMINISTRATION compelling that all non-summary criminal contempt proceedings be (a) entitled as a criminal proceeding, (b) classified as a criminal proceeding, (c) prosecuted by a public prosecutor and/or independent counsel appointed by the court, and (d) the proceedings treated as criminal; and it is further

ORDERED, that a preliminary injunction be issued against ROBERT ABRAMS, Esq., and/or any member his office, from representing any party or interest adverse to PUCCINI CLOTHES, LTD., and it is further

ORDERED, that the Sheriff of Westchester County be enjoined from giving any obedience to any Order by or under the authority of Referee DONALD DIAMOND.

E N T E R

J.S.C.

At the Supreme Court of the
State of New York, held in and
for the County of New York, at
the Courthouse, 60 Centre
Street, New York, New York
10006, on the 15th day of
September, 1988.

P R E S E N T :

HON. DONALD DIAMOND,

Special Referee.

-----X
In the Matter of the Application of
Jerome H. Barr and Citibank, N.A.,
as Executors of the Will of Milton
Kaufman, Holders of One-Quarter of
All Outstanding Shares of Puccini
Clothes, Ltd. Entitled to Vote in
an Election of Directors,

For the Dissolution of Puccini
Clothes, Ltd.,

:
:
:
:
:
:
Index No. 01816/80
:
ORDER TO SHOW CAUSE
WITH TEMPORARY RE-
:
STRAINING ORDER

-and-

ALL OTHER ACTIONS AND PROCEEDINGS IN
ANY COURT CONCERNING OR RELATING TO
PUCCINI CLOTHES, LTD., ITS RECEIVER
OR SHAREHOLDERS OR THEIR ATTORNEYS.

-----X
In the Matter of the Application of

LEE FELTMAN, ESQ.

for an Order permitting him to Resign
as Receiver for PUCCINI CLOTHES,
LTD.

-----X
Upon the Petition of Lee Feltman, Esq., the court-ap-
pointed permanent Receiver for Puccini Clothes, Ltd., dated

Exhibit "B"

September 14, 1988, and the exhibits annexed thereto, including the Administrative Order of the Honorable Xavier C. Riccobono, dated March 26, 1984 and the Order of the Honorable Ira Gammerman, dated March 11, 1986;

LET Jerome H. Barr and Citibank, N.A., as co-executors of the Last Will and Testament of Milton Kaufman, Eugene Dann, Robert Sorrentino, Hyman Raffae, Honorable Robert Abrams, the Attorney General of the State of New York, Attention: David Cook, Esq., Assistant Attorney General, Petitioner's surety, and George Sassower, show cause before the Honorable Donald Diamond, Special Referee of the Supreme Court of the State of New York, County of New York, at the Courthouse, 60 Centre Street, New York, New York, on *November 17*, 1988, at 10:00 o'clock in the forenoon of that day or as soon thereafter as counsel may be heard, why an order should not be entered pursuant to Section 1215 of the Business Corporation Law, permitting Petitioner Lee Feltman, Esq. to resign as the Receiver for Puccini Clothes, Ltd., discharging the Petitioner's surety, and determining the commissions to which Petitioner is entitled pursuant to Section 1217 of the Business Corporation Law, and why such other, further and/or different relief as this Court deems just and proper should not be granted; and it is further

ORDERED, that, in accordance with Section 1215 of the Business Corporation Law, notice of this application shall

be published once each week for six (6) successive weeks in
NEW YORK LAW JOURNAL; and it is further

ORDERED, that pending the hearing ~~and determination~~ of this application, George Sassower, and all those acting in concert or cooperation with him, are hereby enjoined and restrained from filing, serving, prosecuting, initiating or attempting to intervene in, any action, proceeding, motion or other adversary matter in any New York state court or tribunal, concerning, relating to, or arising out of the dissolution or receivership of Puccini Clothes, Ltd., including but not limited to, (i) the actions or conduct of Puccini Clothes, Ltd., or its shareholders, officers, directors or employees, the Receiver for Puccini Clothes, Ltd. or the Receiver's attorneys, Feltman, Karesh, Major & Farbman; or (ii) any litigation related to or arising out of any of the foregoing matters or any of the Orders, Judgments or other determinations made therein; and it is further

ORDERED, that pending the hearing ~~and determination~~ of this application, all future and pending actions, proceedings, motions and other adversary matters by Sassower, to which Puccini's Receiver or his attorneys are a party, including but not limited to motions by George Sassower which seek to vacate Orders issued or entered on January 4, 1985 or November 15, 1985 in this dissolution proceeding, are hereby stayed, and

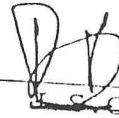
the Receiver and his attorneys shall not respond thereto; and it is further

ORDERED, that answering papers, if any, are required to be served upon Feltman, Karesh, Major & Farbman, attorneys for Puccini's Receiver, at Olympic Tower, 645 Fifth Avenue, New York, New York 10022, so as to be received by November 10, 1988; and it is further

ORDERED, that service of a copy of this Order to Show Cause and the papers upon which it was granted, upon Kreindler & Relkin, P.C., attorneys for Jerome H. Barr and Citibank, N.A., as co-executors of the Last Will and Testament of Milton Kaufman, at 350 Fifth Avenue, New York, New York 10118; Nachamie, Kirschner, Levine & Spizz, P.C., attorneys for Eugene Dann and Robert Sorrentino, at 342 Madison Avenue, New York, New York 10173; Ira Postel, Esq., attorney for Hyman Raffé, at 725 Fifth Avenue, New York, New York 10022; Honorable Robert Abrams, the Attorney General of the State of New York, Attention: David Cook, Esq., at 120 Broadway, New York, New York 10273; George Sassower, 16 Lake Street, White Plains, New York 10603, and the Receiver's surety, on or before

September 19, 1988, be deemed good and sufficient service thereof.

ENTER :


L.S.C.

DONALD DIAMOND
SPECIAL REFEREE

1827E



The New York Times

229 WEST 43 STREET, NEW YORK, N.Y. 10036

SUPREME COURT OF THE STATE OF
NEW YORK COUNTY OF NEW YORK

In the Matter of the Application of Jerome
M. Bart and Catherine, N.A., as Executors
of the Will of Milton Kaufman, Holders of
One-Quarter of All Outstanding Shares of
Puccini Clothes, Ltd., Entitled to Vote in an
Election of Directors,
For the Dissolution of Puccini
Clothes, Ltd.,
— and —
ALL OTHER ACTIONS AND PROCEED-
INGS IN ANY COURT CONCERNING OR
RELATING TO PUCCINI CLOTHES,
LTD., ITS RECEIVER OR SHAREHOLD-
ERS OR THEIR ATTORNEYS.

Index No.
D1816/80
NOTICE OF INTENT
BY RECEIVER TO FILE
ACCOUNTS FOR FINAL
SETTLEMENT

NOTICE is hereby given by the undersigned as Receiver of Puc-
cini Clothes, Ltd. that an account of its Puccini Clothes, Ltd. as Receiver of Puc-
cini Clothes, Ltd. shall be presented to the Supreme
Court of New York, County of New York, before the Honorable Don
Diamond, Special Referee, at Room 528 of the Courthouse, 60 Canal
Street, New York, New York, on October 30, 1986, at 10:00 o'clock in the
forenoon of that day or as soon thereafter as counsel can be heard, at
an appointment then and there by order of the court. The same shall be
heard and be decided to be final and conclusive upon all persons, includ-
ing those entitled to said corporation, all persons having in their posses-
sion or property of said corporation, all persons with whom said corpo-
ration has entered into contracts and upon all creditors, claimants and share-
holders of the corporation, and that said Receiver be authorized to make
a final distribution, and upon the payment thereof, that he be discharged
and the bond vacated, and for such other, further and/or different relief as
the Court may deem just and proper.

September 10, 1986

LEE FELTMAN, ESO, as Receiver for
Puccini Clothes, Ltd.

CERTIFICATION OF PUBLICATION

OCTOBER 1 1986

I, ELAINE MOORE, in my capacity as a Principal C
of the Publisher of The New York Times a daily newspaper of gen
circulation printed and published in the City, County and State of N
York, hereby certify that the advertisement annexed hereto was publi
in the editions of The New York Times on the following date or d
to wit on

September 22 1986

Elaine Moore

Approved:

Neil Dan Polnhack

SUPREME COURT OF THE
STATE OF NEW YORK - INDEX
COUNTY OF NEW YORK - INDEX
No. 01814-86 - NOTICE OF IN-
TENTION BY RECEIVER TO
FILE ACCOUNTS FOR FINAL
SETTLEMENT - In the Matter of
the Application of Jerome H. Barr
and Gilbert N.A., as Executors of
the Will of Milton Kaufman, Hold-
ers of One-Quarter of All Out-
standing Shares of Puccini Clothes,
Ltd. Entered to Vote in an Election
of Directors For the Dissolution of
Puccini Clothes, Ltd. and ALL
OTHER ACTIONS AND PRO-
CEEDINGS IN ANY COURT
CONCERNING OR RELATING
TO PUCCINI CLOTHES LTD, ITS
RECEIVER OR SHAREHOLD-
ERS OR THEIR ATTORNEYS.

NOTICE is hereby given by the
undersigned as Receiver of Puccini
Clothes, Ltd. that an account of the
above-named corporation, under
oath, will be presented to the Su-
preme Court of the State of New
York, County of New York, before
the Honorable Donald Diamond,
Special Referee, at Room 638 of
the Court House, 60 Centre Street,
New York, New York, on October
14, 1986, at 10:00 o'clock in the
forenoon of that day or as soon
thereafter as counsel can be heard,
and an application will then and
there be made returnable that the
same be allowed and be decreed to
be final and conclusive upon all
persons, including those indebted
to said corporation, all persons
having in their possession any
property of said corporation, all
persons with whom said corpora-
tion has unfulfilled contracts and
upon all creditors, claimants and
shareholders of the corporation,
and that said Receiver be author-
ized to make a final distribution
and upon the payment thereof, that
he be discharged and his bond vac-
ated and for such other, further
and/or different relief as to the
Court may seem just and proper.
Dated New York, New York
September 10, 1986

LEE FELTMAN ESQ.
as Receiver for
Puccini Clothes Ltd
217-W 224

Nicholas Di Tomasso
being duly sworn, says that he is the PRINCIPAL
CLERK of the Publisher of THE NEW YORK LAW JOURNAL, a Daily
Newspaper printed and published in the County of New York; that the
Advertisement hereto annexed has been regularly published in the said
THE NEW YORK LAW JOURNAL once
in each of two successive weeks
commencing on the 17th day of September 1986

SWORN TO BEFORE ME, this 24th day

of September, 1986

[Signature]
Donald Diamond, Referee
County of New York

Lee Feltnan Esq.
as Receiver for
Puccini Clothes Ltd
217-W 224

Feb. 6, 1986 "C-2"

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----x
In the Matter of the Application of :
Jerome H. Barr and Citibank, N.A., :
as Executors of the Will of Milton :
Kaufman, Holders of One-Quarter of :
All Outstanding Shares of Puccini :
Clothes, Ltd. Entitled to Vote in :
an Election of Directors, :

For the Dissolution of Puccini :
Clothes, Ltd., :

Index No. 01816/80

NOTICE OF RECEIVER'S
APPLICATION FOR LEAVE
TO FILE FINAL ACCOUNTING
AND FOR RELATED RELIEF

-and-

ALL OTHER ACTIONS AND PROCEEDINGS IN :
ANY COURT CONCERNING OR RELATING TO :
PUCCINI CLOTHES, LTD., ITS RECEIVER :
OR SHAREHOLDERS OR THEIR ATTORNEYS. :

-----x
S I R S :

PLEASE TAKE NOTICE, that upon the annexed Petition of
Lee Feltman, Esq., the court-appointed Receiver for Puccini
Clothes, Ltd., dated and verified on September 26, 1986, and
the exhibits annexed thereto; the affirmation of Donald F.
Schneider, dated September 26, 1986; and upon all prior pro-
ceedings, pleadings and papers heretofore had, served and/or
filed herein, the undersigned will move this Court, before the
Honorable Donald Diamond, Special Referee, pursuant to an
Administrative Order of the Honorable Xavier C. Riccobono,
dated March 26, 1984, at Room 538 of the Courthouse, 60 Centre

Feltman

Street, New York, New York, on October 30, 1986, at 10:00 o'clock in the forenoon of that day or as soon thereafter as counsel may be heard, for an order:

(a) approving the annexed final account of the Receiver for Puccini Clothes, Ltd.;

(b) approving the distribution of Puccini's assets in the manner set forth in the annexed Petition;

(c) pursuant to Business Corporation Law § 1217, awarding to the Receiver commissions in the sum of \$7,667.27;

(d) directing Hyman Raffé to pay to the Receiver the sum of \$27,912.42, with interest at the legal rate from April 26, 1982, so that the Receiver may pay a Judgment in favor of George Sassower and against Puccini, in accordance with an Agreement between the Receiver and Hyman Raffé, dated November 4, 1985;

(e) discharging the Receiver from his duties, obligations and all liabilities in connection with the Receivership;

(f) discharging the surety bond issued by the Fidelity Deposit Company of Maryland;

(g) awarding to the Receiver's attorneys, Feltman, Karesh, Major & Farbman, a sum for attorneys' fees and reimbursement of expenses from August 27, 1986 to the date of a

final order herein, to be paid by Hyman Raffé pursuant to a Stipulation and Order dated September 4 1986; and

(h) for such other, further and/or different relief as to this Court may seem just and proper.

PLEASE TAKE FURTHER NOTICE, that answering papers, if any, are required to be served upon the undersigned so as to be received at least seven (7) days prior to the return date of this application.

Dated: New York, New York
September 26, 1986

Yours, etc.,

FELTMAN, KARESH, MAJOR & FARBMAN
Attorneys for the court-appointed
Receiver for Puccini Clothes, Ltd.
Office and P.O. Address:
Park Avenue Plaza
55 East 52nd Street
New York, New York 10055
Tel.: (212) 371-8630

COUNTY CLERK, NEW YORK COUNTY
CLERK'S MINUTES OF SUPREME COURT ACTIONS AND PROCEEDINGS : 1980

INDEX NO.

1816-80

ATTY

JEROME H. BARR

AGAINST

Puccini

Plaintiff

Defendant

Month	Day	Year	Index Number Assigned	
6	16	86	IAS 27	motion granted
6	25	86		Remittitur
7	3	86		Notice
JUL	- 7	1986		IAS 27 denied
7	8	86		PAPER FROM WESTCHESTER COUNTY
7	10	86		ORDER IAS 27 COMMITMENT
8	7	86		Off of Surcor
8	13	86		copy order
9	17	86		Letter
10	1	86		Letter
10	29	86		Affirmation

INDEX NO.

5/15/86 IAS 27 Motion

5/15/86 Paper from Westchester

9/19/86 Papers from W

12/3/86 Copy Order

~~7-10-86~~ Copy Order

3/3/87 - IAS P 27

4-1-87 IAS-

7-27-87 Ve

11/4/87 LIT

4/26/88 - Notice

4/1/88 - IAS 27

8/19/88 - IAS Pt. 36

9/2/88 IAS Pt 36 - Cu

A

12-23-86 Copy Order & Warrant of Commitment

1 5-86 Notice of Change of Address

AGAINST

2/2/87 - IAS P 27 copy order

Defendant

July 16, 1987 - Duplicate Original of Pp. 26/35 Report
 Exhibit "E"

FELTMAN, KARESH, MAJOR & FARBMAN

MARTIN S. MAJOR
LEE FELTMAN
JOHN L. KARESH
DAVID M. FARBMAN
DONALD F. SCHNEIDER
ALAN M. POLLACK

EDWARD WEISSMAN
SAUL K. GROSS
RICHARD C. GILES
NATALIE T. LEVY
AVE MARIA BRENNAN

PARK AVENUE PLAZA
35 EAST 52ND STREET
NEW YORK, NY 10055
(212) 371-8830
TELECOPIER (212) 592-2191

September 3, 1986

Mr. Hyman Raffe
2134 Pacific Boulevard
Atlantic Beach, New York 11509

Re: Puccini Clothes, Ltd.

Dear Mr. Raffe:

The purpose of this letter is to furnish certain information that you requested and to modify and supplement a Stipulation entered into this day among Feltman, Karesh, Major & Farbmán ("FKM&F"), the Receiver for Puccini Clothes, Ltd., yourself and others (the "Stipulation").

This firm anticipates that Puccini will incur certain expenses during the winding up of the Estate. We project that such expenses will be as follows:

- (a) approximately \$1,500.00 for the cost of publishing the Receiver's intention to seek permission to file a final accounting pursuant to Section 1216(b) of the Business Corporation Law;
- (b) approximately \$2,000.00 in fees to the accounting firm of Rashba & Pokart, P.C. for accounting services rendered in connection with the preparation of Puccini's tax returns for the fiscal year ended March 31, 1986;
- (c) commissions awarded to the Receiver, if any, pursuant to Section 1217 of the Business Corporation Law, in an amount not to exceed \$8,000.00;
- (d) approximately \$2,500.00 for subsequent accounting fees and payment of Puccini's final tax liabilities; and

Exh. B, V "F"

Mr. Hyman Raffe
September 3, 1986
Page 2

- (e) approximately \$1,000.00 per month to the closing of the Puccini Estate for additional miscellaneous expenses (excluding legal fees) in connection with the defense of litigation brought by George Sassower ("Sassower") and Sam Polur ("Polur") and the winding up of the Estate. We anticipate a final order within three to four months provided there is no opposition to the application for leave to file a final accounting and an expeditious determination of the motion.

The Receiver will pay these sums as they become due.

We estimate that our firm's legal fees for preparing an application on behalf of the Receiver seeking permission to file a final accounting and the preparation of a final accounting will be approximately \$2,500.00. We do not anticipate any opposition to a final accounting by any Puccini shareholder since we are informed that all shareholders have agreed to the manner that Puccini's assets are to be distributed.

All of the foregoing amounts are estimates and we cannot and do not guarantee that the sums that will be incurred will not exceed the amounts estimated. Neither the Receiver nor FKM&F shall have any liability to you with regard to such estimates.

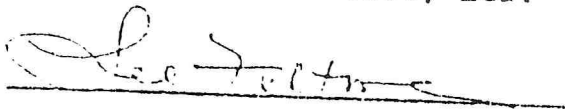
Raffe intends to seek leave of court to offset, in whole or in part, his obligation to satisfy a Judgment in favor of Sassower and against Puccini (as set forth in a November 4, 1985 agreement between the Receiver and Raffe), by the amounts of all claims in Raffe's favor, including, but not limited to (i) all money judgments in favor of Raffe and against Sassower, (ii) all unliquidated claims possessed by Raffe against Sassower, and (iii) all money judgments and unliquidated claims against Sassower which are duly assigned to Raffe. The Receiver does not intend to take any position with respect to such request.

Mr. Hyman Raffie
September 3, 1966
Page 3

The Stipulation is hereby modified and supplemented in the following respect. You hereby covenant, represent and warrant that neither you nor your executor(s), spouse, parents, brothers, sisters, children (natural or adopted) or grandchildren have or shall designate or appoint Sassower or Polur as a fiduciary under your Will or as an attorney for your Estate. The Receiver and FKM&F, individually and on behalf of its partners and employees, have entered into this Agreement and the Stipulation in reliance upon such representation and warranty. Within fourteen (14) days of the execution of this Agreement, you shall notify in writing the present executor(s) under your Will and your relatives mentioned above of the provisions of this paragraph and shall transmit to FKM&F copies of such notifications. You shall also so notify all subsequently appointed executors under your Will. Should Sassower or Polur now or in the future be so designated or appointed in violation of this provision, you and your Estate shall be liable for all injuries, damages, costs, charges and expenses sustained or incurred as a result thereof by the Receiver or FKM&F or its partners or employees and shall also be liable for all reasonable attorneys' fees incurred in any successful suit alleging a violation of this paragraph.

Very truly yours,

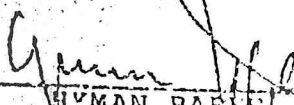
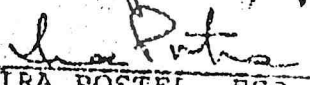
LEE FELTMAN, ESQ., as Receiver
for Puccini Clothes, Ltd.



FELTMAN, KARESH, MAJOR
& FARBMAN

By: 
Donald F. Schneider

ACCEPTED AND AGREED TO:


HYMAN RAFFIE
IRA POSTEL, ESQ.,
Attorney for Hyman Raffie



STATE OF NEW YORK
UNIFIED COURT SYSTEM
OFFICE OF MANAGEMENT SUPPORT
(OFFICE OF COURT ADMINISTRATION)
80 CENTRE STREET
NEW YORK, NEW YORK 10013

ALBERT M. ROSENBLATT
Chief Administrative Judge

MATTHEW T. CROSSON
Deputy Chief Administrator

MICHAEL F. McENENEY
Director, Court
Operational Services

September 20, 1988

George Sassower
16 Lake Street
White Plains, NY 10603

Re: Lee Feltman
Feltman, Karesh et al.
Rashba & Pokart

Dear Mr. Sassower:

In response to your letter dated August 30, 1980, a search of the records maintained by this office pursuant to Section 35-a of the Judiciary Law, indicates that there is no record of any Statement of Approval of Compensation Forms filed by any of the above listed individuals or firms, between 1982 and the present.

If I can be of further assistance, do not hesitate to contact me.

Sincerely,

Samuel H. Younger
Samuel H. Younger

SHY:rva

FEB 11 '89

STATE OF NEW YORK)
)ss.:
COUNTY OF WESTCHESTER)

MARY MANCUSO, first being duly sworn, deposes,
and says:

That on the 26th day of September, 1988, she served a copy of the within Notice of Motion, Affidavit, and Exhibits upon Hon. Albert M. Rosenblatt, Office of Court Administration; Hon. Robert Abrams; and Hon. Marilyn J. Slaatteny, mailing true copies of same in a sealed properly stamped envelopes in a Post Office Box maintained by the United States Postal Department, to them at their last known addresses.

Mary Mancuso
MARY MANCUSO

Sworn to before me this
3rd of October, 1988

Muriel Goldberg

MURIEL GOLDBERG
Notary Public, State of New York
No. 60-4513474 Westchester County
Commission Expires 4/30/89