



STATE OF NEW YORK
DEPARTMENT OF LAW

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April 14, 1986

Honorable Ira Gammernan, Justice
Supreme Court of the State of New York
60 Centre Street
New York, New York 10007

Re: People ex rel. Puccini Clothes, Ltd.,
George Sassower and Hyman Raffé v.
Hon. Sol Wachtler and Hon. Joseph
Bellacosa; Sup. Ct. N.Y. Co. (no index no.)
cal. #76

Honorable Sir:

This is to inform the court that the Attorney General considers the above-captioned proceeding, made returnable at a Motion Support Part on April 14, 1986 to be a nullity and, at this time, declines to respond on the merits.

First, it should be noted that, as of the afternoon of Friday, April 11, 1986 no service had been made upon Chief Judge Wachtler; I ascertained this during a telephone call to his Chambers at Mineola, (Judge Bellacosa was served by hand delivery at the Office Administration.)

More importantly, it is the Attorney General's position that actions and proceedings such as this were enjoined by Your Honor's Order dated March 11, 1986, and further, that no response was necessary. Further, I am unaware of any attempt by Mr. Sassower to comply with Your Honor's rules by requesting a conference prior to commencing the proceeding.

I apologize to the Court if the form of this response to the above-captioned proceeding is improper, and respectfully request additional time to respond more formally should Your Honor deem it necessary.

Sincerely yours,

DS
DAVID S. COOK
Senior Attorney

DSC:pl
cc: George Sassower