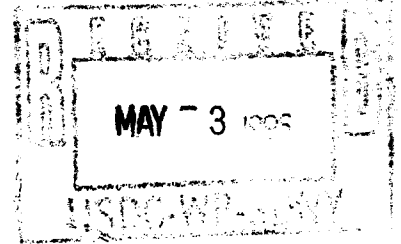


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VIA COURIER

May 3, 1996



Chief Judge Thomas P. Griesa  
Southern District of New York  
500 Pearl Street  
New York, New York 10007-1312

Re: Sassower v. Mangano, et al.  
Civ. 94 Civ. 4514 (JES)

Dear Chief Judge Griesa:

I wish to record the fact that I have had no response whatever to my letter to you, dated March 8, 1996, concerning my serious complaint against Judge Sprizzo based on his demonstrably biased and abusive conduct and refusal to recuse himself.

When I telephoned your Chambers on March 28, 1996 about the status of my complaint against Judge Sprizzo, your secretary informed me that you had just finished a lengthy trial and that she would bring it to your attention. Nonetheless, five weeks later, I have still had no word from the Court.

The motion papers transmitted with my March 8th letter revealed that Judge Sprizzo, in addition to improperly denying my motion for his recusal, has purposefully delayed adjudicating my September 26, 1995 motion for a preliminary injunction motion after denying me a temporary restraining order--notwithstanding my legal entitlement thereto was overwhelming and unrefuted.

By such injunctive relief, I sought to enjoin the judicial defendants' from their on-going lawless adjudications of appeals involving me, as well as from their continued enforcement of their June 14, 1991 Order, interimly suspending my law license, without charges, without a hearing, without findings, and without reasons. That jurisdiction-less, unconstitutional Order has been perpetuated for almost five years, with all my requests for appellate review and a post-suspension hearing being repeatedly denied.

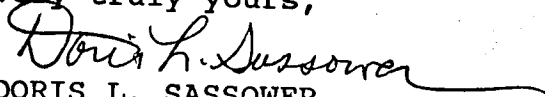
Additionally, my September 26, 1995 preliminary injunction motion before Judge Sprizzo sought "such other and further relief as may be just and proper, including such steps as may be required to vacate the February 27, 1992 order of this Court (per Thomas Griesa, J.)", which suspended my license to practice law in the Southern District.

May 3, 1996

It may be that your inaction as Chief Judge is attributable to your obvious conflict-of-interest, since it is your own February 27, 1992 Order that is also being challenged as constitutionally violative and impermissible. Indeed, paragraph 34 of my affidavit in support of my September 26, 1995 preliminary injunction motion alleged that your Honor's February 27, 1992 Order summarily denied and disregarded, without reasons, my right to a hearing, to which I was legally entitled under Rule 4 of this Court's Local Rules. For your convenience, a copy of the pages containing that paragraph are annexed hereto.

Accordingly, in the interests of justice and judicial economy, I respectfully ask that this letter be accepted in lieu of a formal motion for your recusal and further that this case be referred to another judge ready, willing, and able to discharge impartially the supervisory duties I sought to invoke.

Very truly yours,

  
DORIS L. SASSOWER

DLS/er  
Enclosures

cc: Assistant Attorney General Jay Weinstein

it to this Court to draw its own interpretation as to the plain unambiguous meaning of statutory and rule provisions and New York case law, which Defendants have, in blatant bad faith, failed and refused to acknowledge.

32. I clearly meet the irreparable injury criterion for injunctive relief. This Court may take judicial notice of the fact that an order suspending an attorney's license to practice law is, per se, an irreparable injury--one exacerbated and intensified each day it remains extant.

33. As set forth in my Second Cause of Action (§§240-242), the June 14, 1991 suspension Order (Exhibit "A"), which contained no stay provision, was effectively immediately. Literally overnight, it required me to close my 35-year law practice and notify my clients of my suspension. Indeed, the judicial Defendants immediately released it to the New York Law Journal for publication.

✓ 34. The ramifications of such draconian Order have impacted on virtually every aspect of my life--totally destroying my career as an attorney in the private practice of law in New York State, causing the essentially automatic loss of my license to practice in the federal courts "to run concurrently with the State suspension", and the dissolution of my professional corporation. A copy of the Southern District's February 27, 1992 Order of suspension (per Thomas Griesa, J.) is annexed hereto as Exhibit "J-1", together with its Order to Show Cause to suspend my license (Exhibit "J-2") and my responding

communications (Exhibits "J-3", "J-4", "J-5", "J-6")<sup>7</sup>.

35. Until my suspension pursuant to the June 14, 1991 Order, I was entirely self-supporting. Having been deprived of my professional livelihood as an attorney, I have been forced to live on my accumulated life's savings and retirement funds, which have also been invaded for financing of my legal defense and other litigation deemed necessary to protect my rights.

36. No less overwhelming than the incalculable financial loss I have unlawfully been caused to suffer by reason of Defendants' unconscionable wrongdoing is the social stigma and ostracism I have faced in the community. For example, even where I have a legal right to continued membership in professional

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<sup>7</sup> As may be seen from my December 11, 1991 letter (Exhibit "J-4"), I made known to the Southern District that I wished to make an evidentiary showing that my case fell within its Rule 4: to wit, that my "interim" suspension was "without due process", was "factually and legally unjustified", and that I had been denied any hearing by either the Grievance Committee or the Appellate Division, Second Department. In support thereof and of my request for the Southern District for a hearing, I, transmitted with my December 19, 1991 letter a copy of my July 19, 1991 motion for leave to appeal to the Court of Appeals. Indeed, it would appear from my subsequent January 17, 1992 letter (Exhibits "J-5" and "J-6")--which, likewise, requested a hearing, that I transmitted a second copy of my motion for leave to appeal to the Court of Appeals. Nevertheless, the Southern District's February 27, 1992 Order (Exhibit "J-1"), suspending me "from the rolls of the members of the bar of this Court" omits any reference to my three hearing requests or the constitutional due process violations I had alleged in the state proceedings. Instead, it refers only to my request, contained in my January 17, 1992 letter (Exhibit "J-6"), that the Southern District defer any action until after the New York Court of Appeals' decision in Russakoff, which I had pointed out challenged the court rules relating to "interim" suspensions and had the potential to impact on my "interim" suspension. Although I made known to the Southern District that there would be no prejudice by its granting of such deferral request inasmuch as I was not practicing in federal court, it denied deferral, without reasons.

by order of the court and may not withdraw from a case without leave of the court granted by order. Such an order may be granted only upon a showing by affidavit of satisfactory reasons for withdrawal or displacement and the posture of the case, including its position, if any, on the calendar.

#### **Rule 4. Discipline of Attorneys**

(a) The chief judge shall appoint a committee of the board of judges known as the committee on grievances, which under the direction of the chief judge shall have charge of all matters relating to discipline of attorneys. The committee on grievances may entertain complaints in writing from any source. Complaints, and any files based on them, shall be treated as confidential. The chief judge shall appoint a committee of attorneys who are members of the bar of this court to advise or assist the committee on grievances. Members of this committee will investigate complaints, and will serve as members of hearing panels.

(b) If it appears, after notice and opportunity to be heard, that any member of the bar of this court has been convicted of a felony in any federal court, or in the court of any state, territory, district, commonwealth or possession, the member's name shall be struck from the roll of members of the bar of this court.

(c) If it appears, after notice and opportunity to be heard, that any member of this court has been convicted of a misdemeanor, in any federal court or in the court of any state, territory, district, commonwealth or possession, the member may be disciplined by this court, in accordance with the provisions of paragraph (g).

(d) If it appears, after notice and opportunity to be heard, that any member of the bar of this court has been disciplined by any federal court or by the court of any state, territory, district, commonwealth or possession, the member may be disciplined by this court, in accordance with the provisions of paragraph (g).

(e) If it appears, after notice and opportunity to be heard, that any member of the bar of this court has resigned from the bar of any federal court or the court of any state, territory, district, commonwealth or possession while an investigation into allegations of misconduct by the attorney were pending, the member may be disciplined by this court, in accordance with the provisions of paragraph (g).

(f) If, in connection with activities in this court, any attorney is found guilty by clear and convincing evidence, after notice and opportunity to be heard, of conduct violative of the Codes of Professional Responsibility of the American Bar Association or the New York Bar Association from time to time in force, the attorney may be disciplined by this court, in accordance with the provisions of paragraph (g).

(g) Discipline imposed pursuant to paragraph (c), (d), (e) or (f) may consist of suspension or censure. In the case of an attorney who is a member of the bar of this court, it may also consist of striking the name of the attorney from the roll. In the case of an attorney admitted pro hac vice, it may also consist of precluding the attorney from again appearing at the bar of this court. Upon the entry of an order of preclusion, the clerk shall transmit to the court or courts where the attorney was admitted to practice a certified copy of the order, and of the court's opinion, if any.

Discipline may be imposed by this court with respect to paragraphs (d) and (e) unless the member of

the bar concerned establishes by clear and convincing evidence: (1) with respect to paragraph (d) that there was such an infirmity of proof of misconduct by the attorney as to give rise to the clear conviction that this court could not consistently with its duty accept as final the conclusion of the other court; or (2) that the procedure resulting in the investigation or discipline of the attorney by the other court was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; or that the imposition of discipline of this court would result in grave injustice.

(h) If it appears, after notice and opportunity to be heard, that any lawyer not a member of the bar of this court has appeared at the bar of this court without permission to do so, said lawyer may be precluded from again appearing at the bar of this court. Upon the entry of an order of preclusion, the clerk shall transmit to the court or courts where the attorney was admitted to practice a certified copy of the order, and of the court's opinion, if any.

(i) Complaints in writing alleging that any member of the bar of this court is in a category described in paragraphs (b) through (e), or that any attorney practicing in this court has committed the misconduct referred to in paragraph (f), will be directed to the chief judge, who shall refer such complaints to the committee on grievances, which may designate an attorney selected from the panel of attorneys to investigate the allegations if it deems investigation necessary or warranted. If, with or without investigation, the committee on grievances deems that the charges require prosecution, a statement of charges shall be served on the attorney concerned together with an order to show cause why discipline should not be imposed. Upon the respondent attorney's answer to the charges the matter will be scheduled for prompt hearing before a panel of attorneys which will report findings and recommendations. After such a hearing and report, or if no timely answer is made by the respondent attorney or if the answer raises no issue requiring a hearing, such action shall be taken as justice and this rule may require.

(j) Any attorney who has been suspended or whose name has been struck from the roll of the members of the bar of this court may apply in writing to the chief judge, for good cause shown, for the lifting of suspension or for reinstatement to the rolls. The committee on grievances shall act upon the application, either immediately or after receiving findings and recommendations from a hearing panel of attorneys to which the application has been referred.

(k) Misconduct of any attorney in the presence of this court or in any manner in respect to any matter pending in this court may be dealt with directly by the judge in charge of the matter or at said judge's option referred to the committee on grievances, or both.

(1) Whenever it appears that an attorney admitted to practice in the court of any state, territory, district, commonwealth or possession, or in any other federal court, has in this court been convicted of any crime or disbarred, suspended or censured the clerk shall send to such other court or courts a certified copy of the judgment of conviction or order of disbarment, suspension or censure, and a statement of the attorney's last known office and resident address.

#### **Rule 5. Duty of Attorneys - Default Sanctions - Imposition of Costs on Attorneys**

##### **(a) Duty of Attorneys in Related Cases**

It shall be the continuing duty of each attorney appearing in any case to bring promptly to the attention of the clerk all facts which said attorney believes are relevant to a determination that said case and one or