

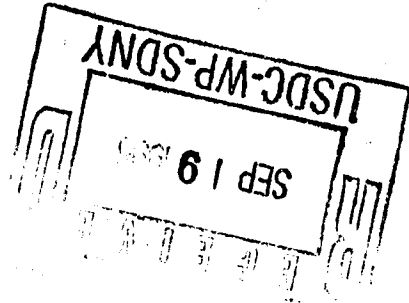
DORIS L. SASSOWER

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By Hand

September 19, 1995

Judge John E. Sprizzo
United States District Court
United States Courthouse
Foley Square
New York, New York 10007-1581



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

Dear Judge Sprizzo:

This is to record my vehement protest at the disparate and discriminatory treatment being accorded me by the Court and its personnel.

At about 11 o'clock yesterday morning, as an aid to the Court, I telephoned your Law Clerk, Dorothy De Witt, for the sole purpose of informing the Court that a letter was being transmitted by courier from White Plains opposing Mr. Weinstein's requested extension and otherwise responding to his hand-delivered letter to the Court dated September 13, 1995--a copy of which was not faxed or mailed to me by Mr. Weinstein until September 14th, and not received by me until Friday, September 15th.

Since Mr. Weinstein's September 13th letter specifically made reference to his having "contacted your Law Clerk Dorothy De Witt", and that Ms. De Witt had "confirmed that defendants' time to oppose plaintiff's cross-motion for summary judgment is September 20, 1995 and suggested that [he] write a letter requesting an extension of time", I telephoned Chambers on Friday after the letter arrived. A recorded message informed me that attorneys having business with the Court could leave their message and their calls would be returned. I, therefore, left a message for Ms. De Witt, requesting her to call me, and making reference to Mr. Weinstein's aforesaid September 13th letter, indicating his "contact" with her.

Having received no return call from Ms. De Witt, I wrote to the Court yesterday to set forth my opposition to Mr. Weinstein's extension request. So as to avoid any possibility that prior to receiving my written response, the Court would "so-order" Mr. Weinstein's extension letter request, the "so-ordering" being a part of the letter, I called Ms. De Witt to let her know that my opposition to Mr. Weinstein's letter would be reaching Judge Sprizzo's Chambers before day's end. I respectfully refer the Court to that September 18th response, which it should now have in hand.

EX "7-5"

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Ms. De Witt immediately reacted with the intimidating query as to whether it wasn't true that I was "enjoined" from telephoning the Court, stating--in a threatening manner--that she would report my telephone call to Your Honor--as if there were something contemptuous in what I had done, rather than a perfectly reasonable attempt on my part to inform the Court that it would be receiving written communication from me in response to Mr. Weinstein's request for an extension to which he was not entitled.

Ms. De Witt also--surprisingly, in view of Mr. Weinstein's reference to her in his letter--denied being more than "vaguely familiar" with the case and did not acknowledge having had any conversation with Mr. Weinstein.

About an hour later, Mr. Weinstein telephoned me, advising that he had been notified by the Court that my Order to Show Cause, which the Court itself had scheduled to be heard at 1:30 p.m. September 22nd--had been adjourned for a week to September 28th at 2:00 p.m. Mr. Weinstein did not explain why the Court had notified him of such change, rather than me--the moving party, with a right to be heard in opposition to such adjournment, as well as to the adjourned date.

I wish to point out that this further delay is most prejudicial, particularly since, as the Court is aware, I first attempted to set up a date to present my Order to Show Cause back in July--but was stymied by this Court's requirement that I communicate in writing. I respectfully refer the Court to my detailed correspondence on the subject--the substance of which has not been responded to by the Court.

I note that the Court's own Individual Rules explicitly require appointments to be made to present Orders To Show Cause and other emergency applications by a call to Chambers on "at least one hour's notice". It is now almost two months since I have been endeavoring to present my Order to Show Cause.

Inasmuch as the record shows the high professional standards with which I have sought to bring the issues in this litigation, including the misconduct of the Attorney General's Office, to the Court's attention, I see no basis or justification for the apparent distinction that is being made as to my rights before the Court.

Most respectfully,


DORIS L. SASSOWER

DLS/er

cc: Assistant Attorney General Weinstein--BY HAND