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January 17, 1992

Hon. Thomas P. Griesa  
Chairman, Grievance Committee  
Southern District, U.S. Courthouse  
New York, New York 10007

Re: M-2-238

Dear Judge Griesa:

In compliance with your letter dated December 20, 1991, I enclose a clipping from the New York Law Journal of January 15, 1992, showing that the New York State Court of Appeals has just granted leave to appeal in the Russakoff case, to which I referred in my December 19, 1991 letter. That Court also granted a permanent stay of Mr. Russakoff's immediate suspension pending his appeal.

The legal issues involved in that case are identical to mine. The Court of Appeals decision on Mr. Russakoff's upcoming appeal will necessarily address the same contentions made on my leave application and, therefore, will be an important precedent--possibly entitling me to a vacatur of my suspension as a matter of law. Indeed, unlike Mr. Russakoff's situation, my case is by far the more compelling. There is no moral turpitude involved in the charge against me resulting in the suspension order, i.e., my alleged "failure to cooperate" with an order directing me to submit to a medical examination.

Indeed, I am now considering the possibility of filing an amicus brief, or seeking renewal by way of intervention or otherwise. I have spoken to the Deputy Clerk of the State Court of Appeals today and was advised by him that in the present state of the Court's calendar, it would not be likely that the case would be argued before May.

I would, therefore, respectfully request that there be no action taken in this matter at the present time, to permit a decision by the Court of Appeals, which could be dispositive of my own. Since I am not practicing in the federal courts, there is no possible prejudice.

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Ex "J-6"

Hon. Thomas P. Griesa

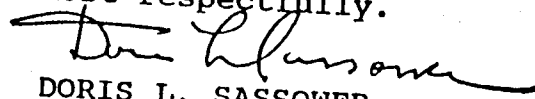
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In further response to the Order to Show Cause, I submit for your consideration a copy of my Brief submitted in support of my own leave application to the Court of Appeals this past summer. As you can readily see, the arguments presented are most serious, not the least of which are the constitutional infringement of my rights that has occurred by virtue of a completely unjustified, totally hearing-less (before or after the Order) immediate, unconditional, indefinite suspension. Should you wish a copy of the Appendix, please let me know.

Finally, in the interests of fairness, due process, and justice, I reiterate my request that before any action in this Court, pursuant to your published rules, I be afforded the plenary hearing denied me in the state system.

Most respectfully.



DORIS L. SASSOWER

DLS/er  
Enclosures (2)

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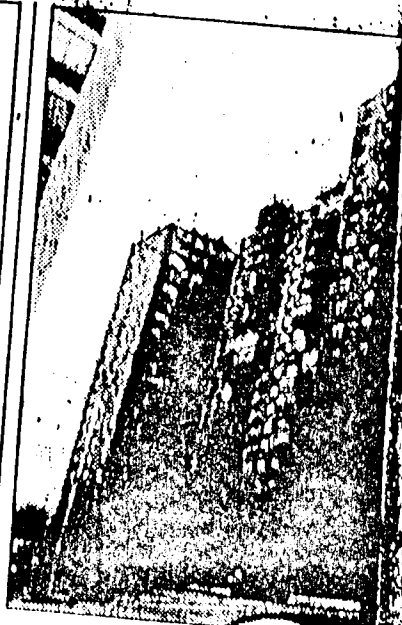
NEW YORK, WED

## TODAY'S NEWS

### Update

Flora Schnall, who resigned last month as a senior real estate partner at Milbank, Tweed, Hadley & McCloy, said yesterday she will become an investment banker at Donaldson Lufkin & Jenrette and counsel to Gibson, Dunn & Crutcher's New York office. Ms. Schnall was one of six defendants to settle insider trading charges with the SEC last February. Ms. Schnall said her departure was unrelated to the consent decree. Milbank chairman Alexander Forger said Ms. Schnall, 56, decided to opt for early retirement.

The Appellate Division in Manhattan yesterday unanimously upheld a ruling directing the city to provide appropriate housing to patients discharged from its psychiatric hospital facilities. The panel, in a brief order in *Koskinas v. Boufford*, agreed with the reasoning last year of Manhattan Supreme Court Justice Edward H. Lehner that it was a city responsibility under the Mental Hygiene Law, and that public shelters or "flop houses" did not meet its statutory obligations (NYLJ, Feb. 28, 1991). The justice saw the release of these patients as "one of the root causes of the homeless crisis." The city had opposed the action by the Coalition for the Homeless, arguing that it was a state responsibility to house discharged psychiatric patients in community residences.



The Advisory letters were issued at the Lincoln Guild Housing Co. Joint Questionnaire project in 1991.

Thurgood Marshall, who retired from the Supreme Court last summer, is scheduled to sit next Tuesday on a three-judge panel hearing cases for the U.S. Court of Appeals for the Second Circuit. Justice Marshall will rejoin his former Second Circuit colleagues when, at his request, he sits by designation at the U.S. Court House at Foley Square, court sources said. Justice Marshall had been on the Second Circuit from 1961 to 1965, and later was the Circuit Justice during his time on the Supreme Court.



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The State Court of Appeals yesterday granted leave to appeal in a case that could revise the formal law under which attorneys charged with "serious" misconduct are immediately suspended from practicing law pending the completion of formal disciplinary proceedings. At the same time, the Court issued a permanent stay of the suspension of Queens attorney Norman F. Rissakoff, who had been granted a preliminary restraining order last month (NYLJ, Dec. 10, 1991).

## Annulment Opinions

BY CHRIS ANDERSON

A STATE SUPREME COURT IMPROPERLY ANNULLED TWO ADVISORY OPINION LETTERS ISSUED BY NEW YORK CITY'S DEPARTMENT OF FINANCE. AN APPELLATE COURT HAS RULED, FINDING THAT THE DEPARTMENT'S ISSUANCE OF SUCH LETTERS SHOULD NOT BE "CHILLED" BY PRELIMINARY JUDICIAL REVIEW.