

CONFIDENTIAL AND VIA EMAIL

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September 14, 2021

Re: Complaint: Carol Most

Dear Ms. Weinberger:

I write respectfully to the Office of Attorneys for Children with respect to the above-named attorney, who has acted as an Attorney for the Children (“AFC”) since her appointment in the divorce case in which I am a defendant, *Kassenoff v. Kassenoff*, 58217/19 since approximately June 2019. As a member of the New York State bar since 1996, I take very seriously the submission of a complaint about another attorney’s ethics violations. However, in view of the repeated nature of Ms. Most’s ethical breaches, shocking misrepresentations, and intransigence in failing to advocate for her clients, who are my three children, I felt compelled to bring her misconduct to the attention of this Office. Over more than two years of litigation, the AFC here has engaged in utter disregard for the rights and preferences of her young clients, blatant bias and improper alignment in favor of the Father, intentional misrepresentations to the court and to her clients, conflicts of interest and collusion with the forensic evaluator, failure to advocate zealously, and injection of herself as a witness in this case.

I urge this Office to review the voluminous materials I submit here in support of my allegations and will make myself available to speak with you as needed.¹ I am aware of additional complainants about Ms. Most who can relay allegations eerily similar to my own. I hope this body will be as alarmed as I am by Ms. Most’s misconduct and will take appropriate action.

Most’s Investment in Parental Alienation Theory and Relationship With Marc T. Abrams

Ms. Most has for many years championed a debunked “junk science” theory known as “Parental Alienation Syndrome” that is used to remove custody from protective parents and give it to abusers. Her 2010 article is attached. See **Exhibit A**. Based on her arguments in my case, I, the

¹ Although I attach the exhibits to this letter to the email and to follow up emails, I am also making all exhibits available at: <https://drive.google.com/drive/folders/11KpxlZlAcEpkWwWkAfVuyksRfLhySy6J?usp=sharing>

undisputed primary caretaker, lost custody of my three children – Ally, Charlotte and JoJo (now ages 12, 10 and 8) - and was placed on indefinite therapeutic supervision, at my own cost. I was told by Ms. Most that I am “dangerous” and have a “mental illness.” I assuredly am not and do not – I have never been treated for one, been diagnosed with one, and have held the highest positions in both state and federal governments (as an Assistant U.S. Attorney and Special Counsel to the Governor of New York), where I was thoroughly vetted and even had “top secret” clearance during 9/11. I have been employed as an attorney for nearly my entire adult life.

Most did not act alone in this case. Along with “her” go-to expert whom she has had as a forensic evaluator in many of her cases “for decades” (her words), Dr. Marc Abrams, who was assigned as the so-called “neutral” forensic evaluator in my case, she made arguments that I “gaslit” my children to invent domestic violence and to think poorly of their father, despite undeniable and voluminous evidence of domestic violence.

On August 24, 2021, Abrams was **removed** from the panel of forensic evaluators in the First and Second Judicial Departments by the Mental Health Professional Certification Committee (“MHPCC”), based on my complaint (and that of other mothers) of him. *See Exhibit B.* My complaint recounted, *inter alia*, his minimization of domestic abuse by my children’s father, his false narrative that I “gaslit” and “coached” my children and other “findings” adopted wholesale by Ms. Most in my case to advocate against me.

What is perhaps even more startling is that after Abrams was removed from the MHPCC panel in August 2021, Ms. Most campaigned to re-instate him. She apparently approached other attorneys and even the Chief Judge to petition the MHPCC with supporting affidavits. She is obviously not an objective lawyer for my children. She is invested in a certain outcome in my case and has therefore attempted to protect Abrams in this manner – as she has throughout her career and in my divorce case. If this action on her part does not show her collusion and improper alignment with Abrams, it is hard to know what would.

The AFC’s Initial Misconduct And Bias

In May 2019, Allan Kassenoff filed a retaliatory divorce against me in the Supreme Court of Westchester County, in response to what he believed to be my report of physical abuse to Child Protective Services about him. *See Exhibit C.* Ms. Most was assigned as the AFC and was ordered to be paid pro rata by me and the father, 20% vs. 80%, respectively. *See Exhibit D.* She began to engage in misconduct in the early days of this action. Specifically, she advocated against her own clients’ positions, to their detriment, particularly with regard to their reports of domestic violence.

After I obtained a Temporary Order of Protection (“TOP”) against the Children’s father in May 2019 based on a “choice” given to me to either get the TOP or have my children removed from my custody for purported failure to protect them from their abusive father,² a hearing was held before the Honorable David Everett at which only a single witness, Detective Lisa Pompilio,

² In fact, I was “indicated” by CPS for failure to protect the children, although this charge was later dropped before a Fair Hearing was conducted.

testified. Mr. Kassenoff offered no witnesses to counter her testimony. Detective Pompilio gave unrefuted testimony that my youngest daughter (JoJo) consistently and credibly told her that she had seen her father kick her older sister Ally in mid-May 2019 and made statements about other incidents of abuse she had witnessed by the father. *See Exhibit E*. That testimony was corroborated by the statements of the Children to investigators, therapists and others, medical records, the statements of teachers, and by the extensive history of domestic violence that I produced to the Court and Child Protective Services in the form of audio/video and contemporaneous doctors' reports. The audio/video recordings can be viewed and heard at:

<https://drive.google.com/drive/folders/1o74Z2RgcLGAqSIATs4Njyb0eA9UsPvAH?usp=sharing>

The medical and police reports for me – spanning years - and for Ally are attached. *See Exhibit F*. They detail the injuries I sustained at the hands of the father, in front of the children, and the injury sustained by Ally in May 2019 when her father kicked her. Indeed, the father himself **admitted** to a physical assault of me that had occurred a couple days before this incident, in a sworn affidavit. *See Exhibit G*. That incident occurred in front of Ally. All of this was known to Ms. Most, who nonetheless advocated in favor of the abusive father.

Despite the overwhelming amount of evidence showing the father had engaged in domestic violence against the Children and me (in front of the Children), Ms. Most did not advocate to protect her clients - ever. This violated her duty to advocate zealously and also violated the *NYSBA Committee on Children and the Law Standards for Attorneys Representing Children in Custody, Visitation and Guardianship Proceedings*. *See Exhibit H*, §. C-4. Instead, Ms. Most ignored the weight of the evidence and failed to advocate that the father should be put on supervision. She rejected the Detective's clear and unimpeached testimony about abuse by the father and that I was pushed into obtaining a TOP by Child Protective Services ("CPS") – with the threat that CPS would remove my children from my custody if I did not get a TOP - while initially I did not even believe Ally's account of violence. *See Exhibit E* at 29-30.

Soon thereafter, the AFC began a false narrative that I "brainwashed" the Children and even their therapists. In July 2019, two of the Children (JoJo and Charlotte) were being treated by a therapist at Alssaro, Dr. Jenessa Cavallo. Charlotte and JoJo were diagnosed with Passive Suicidal Ideation and PTSD caused and triggered by abuse perpetrated by their father. *See Exhibit I* at 13, 28-35. To her clients' detriment, but in order to protect the father with whom she was quickly allied as the "monied" spouse and in furtherance of her false narrative of manipulation, Ms. Most removed the children from this therapist, claiming that the therapist was being "brainwashed" by me and that the father needed weekends. *See Exhibit J*, 9/16/19 at 43. She steered the Children to a therapist (Dr. Susan Adler) who had no weekend availability at all. Dr. Adler's husband, however, is and was a matrimonial lawyer named Herb Adler, with whom Most has and had a professional relationship that she admitted to. That relationship was never disclosed to me before she was appointed to my case. Indeed, in one of Most's invoices she indicated that she spoke with Mr. Adler in this very case. *See Exhibit K* - April 9, 2020 entry.

As a sampling of Ms. Most's invoices also makes readily clear, she was engaging in extensive communications with the father throughout the entire litigation and failed to start from a neutral

perspective from the very outset. *See Exhibit K.* I urge this committee to review her invoices and compare the amount of time she spent in discussions or emails with me as compared with the father and his attorney. She did not speak with me but one or two times and met with me in person only twice in two-plus years – once at my repeated request. She even hung up the phone on me several times when I called for guidance. By contrast, she spent hundreds of hours emailing and in phone calls and meetings with the Plaintiff father.

Ms. Most also falsely reported to the court that I have threatened her and a therapist. While I have told her I will hold her accountable for her misconduct, which is perfectly legal to say, I have never threatened anything other than what is 100% legally permissible. Ms. Most went so far as to discredit me with my therapist, Dr. Anna Filova, whom she falsely recounted had said that I was “hiding” things in therapy. Dr. Filova had to correct Ms. Most’s antagonistic and improper account in the attached letter and email. *See Exhibit L and M.* Dr. Filova also relayed very troubling comments made by Ms. Most in which she “accused” me of enrolling my middle daughter in Arabic language classes (a year before the litigation, even) as an “affront” to “the father’s Jewish beliefs.” Ms. Most attempted to use this fact to support an argument that I must be “alienating” the father. This was outright bigotry by Ms. Most (who herself holds Jewish beliefs). Dr. Filova was concerned enough about the comment – made in the initial weeks of this litigation in June 2019– that she told me and the Court about it. *See Exhibit N* at p. 11. She also found troubling that Most was asking about my purported “mental illness” in June 2019, despite never having had any mental health issues in my entire life. *Id.* (Dr. Filova, an M.D., later testified that I do not suffer from a mental illness). Oddly and tellingly, that same comment about my ethnic background and enrollment of my daughter in a language class (so that she could learn to speak the language of my father’s side of the family) being an “affront” to Judaism was relayed to Detective Pompilio. Even my attorney in the Summer of 2019 called Most out for being “biased”. *See Exhibit O.*

With no reason other than to remove a perceived “ally” of mine from the household (the father’s counsel’s description), Ms. Most argued in September 2019 for the removal of the Children’s longstanding nanny (Aurelie Zambou) from the household, to their detriment. In September 2019, she lied to the court in saying the nanny had been sleeping when she should have been awake to supervise me at the house. Despite the nanny’s clear agreement to work weekends, late hours and even live-in (at the request of the father), Ms. Most argued to the Court that she should be replaced with a complete stranger because she may not be an effective supervisor, at a time that the Children were experiencing trauma from the divorce and from my going from being their primary caregiver to a 50% caregiver. *See Exhibit J.*³

At about the same time and throughout the rest of the litigation, Ms. Most argued against her client Charlotte’s clear wishes to attend the French American School (“FASNY”). She purportedly worried instead about whether the father had “agreed” to the school, incorrectly and

³ There was no testimony from me or from the nanny about the true circumstances. We both would have easily explained to the court that the nanny was not in fact “asleep,” as evidenced by how quickly she came downstairs – fully dressed – to meet with CPS workers. Ms. Most’s representations to the court were taken as true, unfortunately, even though they were false.

falsely writing in an affidavit that he had not when there was abundant documentation that he had. *See Exhibit P* at ¶ 17. Indeed, Charlotte did remain (and continues to remain) at the school because it was clear there was agreement for her to attend. Even after Dr. Josephine Kuhl noted that “everything possible” should be done for Charlotte (who had been saying things like she “wanted to disappear”) to attend FASNY Most would not advocate for her client to stay at FASNY. *See Exhibit Q* at 2. Ms. Most twice allowed her spot to be forfeited (there was a strict February 1st deadline) by remaining silent: in February 2020 and again in February 2021. *See Exhibit R and S*. It got to the point that the school threatened legal action in March 2021 and threatened to prevent Charlotte from finishing out the year. Only then did Ms. Most act. *See Exhibit T*. On both occasions, I had to fight to get Charlotte back into the school myself.

Also in the Summer of 2019, Ally attended a sleepaway camp for two weeks – during which I had no contact with her whatsoever. *See Exhibit U*. On the last full day of camp, knowing that her father was scheduled to pick her up the next day, she reported her fear of him and his prior acts of physical and emotional abuse to camp counselors. Rather than address her own client’s fear and the history of abuse, Ms. Most did nothing to help her client and instead blamed me for – somehow, with no contact for two full weeks – “manipulating” my daughter. *See Exhibit J* at 34. She did not ask for an investigation or for supervision of the father. She did not advocate for me to have custody. She was too invested in her theory of “parental alienation syndrome.”

The AFC Suppression of the Father’s Abuse, To the Detriment of the Children

Despite the clear preference the Children had to live with me over their father, Ms. Most consistently advocated against that position. When the father falsely claimed in the Fall of 2019 that I was calling the home “too much,” which warranted his disconnection of the phoneline, the AFC supported that. *See Exhibit V*. The Children were very upset about it and yet she would not ask the Court to restore the line. With not a shred of evidence of inordinate calls and with evidence of very few calls, she nonetheless disingenuously took the position of the father that it was better to disconnect the line – leaving no ability for the Children to even make emergency phone calls, as none of them had cell phones. *See Exhibit W*.⁴ Eventually, in February 2020 the Court ordered the phone line to be operable but when the father continued to flout the order, the AFC did nothing. *See Exhibit X*. That order continues to be ignored to this day and there is no working phone line at the house. Ms. Most has effectively cut off communication, particularly for JoJo (who is only 8 years old), with the outside world.

In or about September 2019, the Children were in the father’s care when I received a disturbing call from my middle daughter Charlotte. She was crying hysterically and calling me from under her bed, on her Gizmo watch. She said that her father had thrown things at her and was screaming at the Children. In fact, the two other children reported the incident at their school. When the three girls got on the phone with their lawyer later that day to report the scary event and ask for help, they were ignored by their lawyer. Indeed, Ms. Most tried to blame me for the report – she lied by saying I “had the girls call” and could be heard “telling Ally what to say”. *See Exhibit Y*. As I had a sense she would accuse me like this, I recorded myself sitting in a

⁴ This is a draft of the email that I believe was sent to Ms. Most and received no response from her and no action.

different room from the girls when they were speaking to their lawyer. *See* <https://drive.google.com/drive/folders/1WxZtgxsEZtcSrCzw0H3dNEv0d8IBkg4Q?usp=sharing>

Ms. Most's claim to be "able to hear me" was a complete lie that she furthered in order to protect the father (and thereby her main source of income in this case) from the report of abuse and instead falsely blame me for "manipulation". She did nothing about it except try to convince her clients that their father was just "fine" and to have a "nice weekend".

In November 2019, the doctor who was selected by the Court to meet my oldest daughter, Dr. Alan Ravitz, issued a devastating report about the father's abuse. *See Exhibit Z*. He reported that Ally told him of the numerous prior acts of abuse, just as she had reported them before. He reported that Ally was afraid of her father and wished to live with me. Again, the AFC failed to advocate and minimized the importance of the report. She did not ask that the father have supervision or that custody be placed with me. She ignored Dr. Ravitz's report altogether and claimed that Ally was a liar.⁵ In fact, I wrote to her numerous times to follow up on Dr. Ravitz's recommendations about therapy for my daughter – she ignored me completely, leaving her own client without a therapist for a year because she did not want to give credence to Dr. Ravitz's findings or allow me to find affordable care for Ally on my good health insurance. *See Exhibit AA*. In the end, she hand-selected Dr. McGuffog to be Ally's therapist, allowing the father to sit in on sessions over Ally's objection. She also continued to insist on supervision for me despite any finding by Dr. Ravitz that Ally was being "brainwashed" by me. There is not a single mention of the notion of brainwashing in Ravitz's report.

In December 2019, the AFC showed how disingenuous her position really was. Charlotte became ill with the flu on one evening that I had her but was to be in the father's custody the next day. When the father suggested that she not go to school but instead go to a "restaurant" with the nanny, I contacted the AFC because I thought it was inappropriate. Although I did not have a supervisor, I offered to care for my daughter. Because the AFC saw that the father was in a difficult position and unable to care for his daughter himself, out of convenience to him, she suggested that I care for my daughter with no supervisor. *See Exhibit BB*. Apparently, because it was convenient for me to be a babysitter for the day for my daughter when the father could not do so, the AFC did not view me as a "danger" to her as she had previously said of me. It was more convenient to have me miss a day of work than the father, so she instructed me to watch my daughter alone and take her to the doctor.

Numerous people have witnessed the father's anger, screaming and aggressive behavior with the children as well as his creation of fear in my three daughters, as described in the attached affidavits by Dr. Gaetane Michaud and Zion Hilelly. *See Exhibit CC and CC(1)*. On or about February 16, 2020, the Children called me one night when they were with their father. They were very upset and wanted me to come home. Their call prompted a call to police by Ms. Lily Becker, who requested a wellness check. They were worried about their father's anger – worried that he would try to "kill" them - and complained that he had made them split a muffin for

⁵ Although Ally did have issues with truth-telling, she really only lied when she feared retaliation or getting in trouble with an adult.

breakfast and they were still hungry afterward. This was not the first time they complained about not being fed in his care – they had said the same thing in December 2019, which I had raised to Ms. Most. When the call, which had been recorded, was submitted to the court and the AFC, there was again nothing done by the AFC. *See*

<https://drive.google.com/drive/folders/12aml695OF7c8iUPkPwx5ewPbC7dFaQp0?usp=sharing>

She ignored it entirely. She did not ensure there was food at the house; she did not ensure the father was getting help for his anger problems; she did not ask for supervision of him. She left her clients in the hands of a known abuser.

Ms. Most's continued suppression of domestic violence by the father is perhaps most egregiously manifested when she prevented my communication of the abuse to the children's therapist, Dr. Adler. When I offered to Dr. Adler – as I had to Dr. Ravitz without complaint – the videos and audios of the father's abuse of me and the children, the AFC accused me of “deliberately trying to destroy the therapeutic relationship” – even including the therapist on the correspondence. *See Exhibit DD.* The therapist was almost completely deprived of the history of abuse by the AFC. Ms. Most's rationale again was that the therapist would be “under my spell” if I were able to show her undeniable evidence of abuse on the audios and videos. She instead was far more concerned about burying the evidence so that the father would be protected over her own clients.

From about the Fall of 2019 onward, I began to notice a marked change in Charlotte's demeanor. I tried to raise it repeatedly with the AFC and Charlotte's therapist, Dr. Adler. Charlotte often would say she “wanted to disappear” and she “hated her life.” She began to self-mutilate as well, as shown in the attached photo. *See Exhibit EE.* When I raised the issue and repeatedly asked that she be seen by a specialist, Dr. Francheska, I was reprimanded and dismissed by the AFC. But even the therapist recognized that Charlotte was “more distant” and “inattentive” and had “sores.” *See Exhibit FF and GG.* The AFC, however, tried – and ultimately succeeded – in cutting me off from initiating any contact with the therapist. *See Exhibit HH and II.* After nearly a year of worrying about Charlotte's demeanor, in June 2020, I received an email from Charlotte about her father that was concerning. What she said in that email was no different from what she had been telling me for months and months about him, and which I had been relaying to the AFC – it was just in an email because she had now gotten her first email account. *Nonetheless, the AFC attempted to blame me for not raising it soon enough and not telling the father – who was often retaliatory in nature -- after I had spent nearly a year getting chastised for raising the issue.* It was unbelievable and maddening to me that after my pleas for help for Charlotte fell on her deaf ears, she turned around and blamed me for not telling the father immediately, even though I had told my attorneys right away.

The Children's Assertion of Themselves

In about March 2020, the Children began to write emails to me and to Ms. Most complaining that the AFC is not following through on their wishes to be with me; they even demand a new lawyer. *See Exhibit KK.* Ms. Most did not raise these emails with the Court; she ignored them. She did not further their interests; she did nothing. At the end of March 2020, the forensic report recommended that the father have sole custody of the Children – primarily on the basis of

purported “manipulation” of them by me. The AFC – against her own clients’ wishes – decided to demand “therapeutic supervision” for me, despite no recommendation in the report for such. Apparently she wrote an ex parte email to Judge Everett saying this, with no basis, as it was not even suggested by Dr. Abrams. *See Exhibit LL*. This effectively ended my ability to see my children for several months, as there were no visits occurring with supervisors during the COVID-19 pandemic. During these long months without my Children, Ms. Most did absolutely nothing to re-establish visits. In fact, she argued for less and less contact with the Children – even though they continued to write and beg for my presence in their lives. *See Exhibit KK*. After all, I was their primary for their entire lives; she relegated me to having almost no role at all.

On March 31, 2020, desperate in her situation with her abusive father, Ally ran away from his home to the police, down the street. The night before she ran away, she said she wanted to do so on a recorded Zoom call. No less than 20 minutes after the call ended, I emailed Ms. Most to let her know about this plan and to seek her intervention. *See Exhibit NN*. Not being present at the father’s house and therefore unable to advise the girls what to do, I offered various possibilities: including relying on Auntie Arikha (whom I cc’ed on an email to the girls and provided her phone number – *see Exhibit OO*), who is several houses away. And when asked if they could go to the police, I responded (in French, so that their father would not get involved and retaliate, as he has done many times before) that “if they are scared they can go to the police.” *I suggested that especially as I was indicated by CPS in 2019 for NOT protecting the girls from the father’s abuse!* Despite all this evidence of fear and abuse, Ms. Most did absolutely nothing about the email I sent – until it was too late and Ally ran away. Then, she turned around and blamed me for “manipulating” Ally to go to the police.

In order to defend her own inaction, Ms. Most interfered with the police investigation into Ally’s running away by blaming me. She took it upon herself to try to convince the police that Ally was being “brainwashed” to run away from her father. She held a 2.3-hour meeting with the police. *See Exhibit L* entry for 4/1/20. But this meeting was not to understand what the father was doing that led to the runaway at age 10. Rather, as Detective Pompilio testified, Ms. Most’s strange “one-sided” intervention was to blame me for the incident. *See Exhibit PP*, p. 8-9. Detective Pompilio testified under oath that she did not believe that Ally was being “gaslit” me to run away. *Id.* She then went on to say that Most “kept repeating over and over and over to [her], which is the same phrase that she had also stated to the desk officer, was that Mrs. Kassenoff was gas lighting the girls.” *Id.* at 10. When asked whether she agreed with that, Detective Pompilio said “No, I don’t believe so.” *Id.*

Detective Pompilio went so far as to say that Ms. Most made her “uncomfortable” with the way she was interfering in the investigation. Where was Ms. Most’s concern for the reason why Ally ran away? Ms. Most would prefer to blame me than believe her own clients’ fear of their father, because he is her true client, the one paying her bills. By contrast, I have contested every single one of her invoices and refuse to pay her.

After this incident and Abrams’ report, Ms. Most submitted a letter to the Court announcing that she was taking the extraordinary step of “substituting judgment” for all her clients, for all

purposes. *See Exhibit QQ.* These smart, assertive and brave children were then rendered completely incompetent to express their views and expect their attorney to help them. She sealed their fates. When Charlotte began menstruating at the tender age of 9 and wanted to talk to me – as any mother would talk to her daughter going through this phase of her life – the AFC would not facilitate or even ask for this to be done. She was instead satisfied that a complete stranger speak to Charlotte and that Charlotte be sent to her male pediatrician in her father’s presence to be seen.

Still pushing for more time with their mother, whom they had not seen in months, the Children continued to send emails to me and the AFC asking to see me. *See Exhibit KK.* The AFC continued to obstruct my time with them, advocating for shorter calls – from 30 to 15 minutes. Then in May 2020, the AFC decided to alienate the Children even further from me. In what can only be viewed as an intentionally-directed email to Ally that the AFC seemingly “missent” to her, Ms. Most told Ally that I had a (fictional) “boyfriend” when I did not. *See Exhibit RR and SS.* Ally was beside herself and immediately asked me “how could you?” as she must have believed that I left the marital residence so abruptly in March 2020 to live with my fictional boyfriend, when in fact I was just homeless. *Id.* Ms. Most also made clear in this email to Ally that she was aligned with the father against me, against the wishes of her own clients! Ms. Most never corrected her “error”, although she later admitted to being aware of the email she sent to Ally before we drew it to her attention, and never corrected the misimpression that I had abandoned my children. This shows her email to Ally was in fact intentional, not accidental.

The AFC’S Conduct at the July 2020 Hearing

Shockingly, at the July hearing on interim access the AFC admitted to having a long undisclosed history with the forensic examiner, Dr. Marc Abrams, who had recommended the father have custody of the children. She said that “he is working for [her] as [her] own expert on another case that’s in Orange County.” *See Exhibit TT* at 2. During the hearing I even saw her whispering in the hallway with the forensic. When I attempted to take a photo of the scene, Ms. Most walked within a few feet of me and – with her finger close to my face – she instructed me “never to do that again.” *Id.* at 3. She did that in front of the examiner. It was intimidating and disturbing. She also lied in telling the court that she had been subject to “numerous nasty and threatening phone calls” from me, which is absurd and false. *Id.* at 2. I think I have called her on the phone twice or three times in my entire life.

At hearing, she did not cross-examine the father. She only crossed me. Remarkably, she did not adduce or develop any evidence of domestic violence by the father whatsoever. She did not allow her clients to participate in a *Lincoln* hearing so that their own words could be heard by the court. The AFC instead injected her own rendition of events into the case, in violation of the witness-advocate rule. She did this, for instance, in her cross examinations of both Dr. Filova and Detective Pompilio. Indeed, in the motions *in limine*, we asked to call her as a witness and even put her on our witness list. *See Exhibit UU.* The court refused to allow her to testify but also never heard from the children, who would said they wanted to live with me over their

father. Through her affirmations and questions, the AFC essentially testified to help the father and cover for herself: for her failure to investigate or advocate versus the father's domestic violence; for her failure to act on the email after the Zoom call about going to the police in March 2020; for her failure to tell the court that the children do not want her as their lawyer; for her lies about my "whispering" to the children. The bottom line is that she covered for her own failures, out of a conflict of interest, which was most obvious when she did nothing in response to my email to her about the children's plan to go to the police in March 2020.

The AFC Advocated More Forcefully Against the Children's Wishes

As the girls were further removed from my life after the July 2020 hearing, and began to write more urgently and frequently to me – to express their grief about being torn away from me and about their fear of their father – the AFC became further entrenched in her position. When the girls raised abhorrent behavior at the marital residence by their father, the AFC did nothing to protect them. For instance, the girls told me that the father was "online" dating while putting them to bed and they took photos of his dates. *See Exhibit VV*. The AFC did nothing. When the girls said they found the father having sex in their playroom with his paramour, which the father even admitted to, the AFC again did absolutely nothing. *See Exhibit WW*.

In the Fall of 2020, the girls were on Zoom calls with me and trying to speak freely but could not. On so many occasions, they tried to express problems in their lives but were afraid of being overheard by their father or nanny and feared retribution. I told the court and the AFC, who did nothing to remedy the problem. The girls were obviously afraid that expressing any issues with their father would cause him to retaliate, so they tried to tell me by writing in the Zoom name box and whispering. On one occasion, Ally went into the pantry to speak with me, so that she would not be overheard. The AFC knew all of this and did absolutely nothing. She enabled it all and minimized any misconduct by the father.⁶

For a long time, despite the stress of having a "police-type" presence and no ability to speak freely and the constraints of a timed visit, the visits were nonetheless very positive. *See Exhibit YY and YY1*. However, in November 2020, Ally reported that she had been assaulted by her nanny upon the instruction of her father. She reported this during a Zoom call and at a visit to my house. *See Exhibit XX*. We also sent the AFC a recording of Charlotte being viciously berated by her father that same month, begging for "mommy." *See*

<https://drive.google.com/drive/folders/1WxZtgxsEZtcSrCzw0H3dNEv0d8IBkg4Q?usp=sharing>

Still, the AFC did nothing. When Ally reported that she "hated" her therapist, who was allowing the father to sit in on her sessions, the AFC simply ignored her. *See Exhibit BBB*.

⁶ Should the Committee wish to review these Zoom calls, I am happy to make them available.

Starting in approximately the Fall of 2020, the uptick in texts and emails from the children was noticeable. They wrote to me repeatedly that they wished to spend their lives with me, that they were scared of their father, that they needed my help, that they missed me terribly. *See Exhibit CCC and DDD*. Not only did the AFC ignore all these communications, she advocated against the girls' wishes, falsely claiming that I am "dangerous." *See Exhibit DDD at p. 13 (12/30/20 email)*. She said this while simultaneously aware that Ally was posting semi-nude videos of herself from the shower on TikTok, while in the father's care, soliciting men and boys to contact her! She said this while the father and nanny were ill with COVID and Ally was failing school because she was caring for her father and sisters. *See Exhibit EEE*.

Shockingly, in or about November 2020, I was anonymously provided with extremely disturbing Facebook posts that had been posted publicly by Ms. Most's "go to" expert witness, Dr. Abrams, which showed deep misogyny and animosity toward politicians. *See Exhibit FFF*. In those public posts, spanning 8 years, at which time Abrams was routinely used as a "neutral" evaluator, he described politicians as "WHORE" and "PROSTITUTES"; he used the foulest of language and images to show women giving men oral sex; he used anatomy to describe politicians he disliked; he discredited women with conservative views; and much more. Ms. Most argued to the Appellate Division and the lower court that the posts were completely harmless and even "funny". *See Exhibit GGG*. She derided me to the court as "viscous" [sic] and said that the Facebook posts amount to nothing more than "political views" of the expert "on [her] cases for several decades." *Id.*

By December 2020, the situation in the father's house had become intolerable, especially for Ally. Both the father and his live-in nanny contracted COVID-19 at the same time. They were both very ill. Rather than advocate for her clients, who pled with her to go to my house so that I could care for them, the AFC instructed the children to remain with the father and lied to them - saying there was nothing she could do and that they were required to remain in the unsafe home. *See Exhibit DDD at 26*. The children's emails and texts were heart-breaking, Charlotte saying she was "scared" of her living situation and various parents calling me out of concern for her. *See Exhibit HHH and III*. Ms. Most did not care that they were being exposed to a deadly virus, because it was more important to her that she protected the father from an unfavorable litigation position. When Ally told Ms. Most that she was being made to care for the entire household - the sick adults and her two younger sisters - causing her to have anxiety and to miss school and fail to attend to her schoolwork, the AFC was silent and dismissive. *See Exhibit DDD*. Poor Ally begged for relief and her own attorney refused to help her. Not only did Ally already miss 44 classes that semester and was late 11 times, she failed a subject in school and performed poorly in other important subjects. *See Exhibit KKK and LLL*.

How the AFC could subject her young clients to COVID rather than allow them to be with me is beyond understanding. I was being prevented from seeing them due to the father's COVID status - which has nothing to do with me - but the AFC refused to facilitate a visit. *See Exhibit MMM*. She seemed to relish the idea that I was not seeing them for weeks on end. No one got in trouble for refusing to act on this comment from Charlotte - certainly not the AFC, who simply ignored it. It certainly is not what we expect from a lawyer for children. She even went

so far as to block an overnight Christmas at my house, leaving me with only a 4-hour visit with the girls on Christmas Eve. *In fact, I have not had an overnight with them for over a year, due mostly to her advocacy against me.*

In January 2021, the girls were so desperate to see me that they were writing with great frequency, knowing that they were not permitted to do so. See **Exhibit CCC** and **DDD**. During a recorded call with them, I learned that Charlotte said she “wanted to die” because she was so unhappy in her living situation. See **Exhibit DDD** at 12. Then on January 27, 2021, Ally had apparently had enough of living in her father’s house, where she was subjected to abuse, assaults, inappropriate caring for sick adults and her sisters, angry tirades, lack of food, lack of supervision and support in school. She took it upon herself to walk to the Larchmont train station and take a taxi – at age 11 – to my home in New Rochelle. When she arrived, she was freezing cold, hungry and distraught. She refused to go back to Larchmont. Nonetheless, the AFC instructed me to put her back in a taxi and send her back to her father. See **Exhibit NNN** at 16. My lawyers and I implored Ms. Most to speak with her client before deciding on such a drastic measure. *Id.* In a phone call that Ally recorded between herself and Ms. Most that day, Ally begged her not to force her to return. Ms. Most can be heard insisting that her distraught client return to her abuser. See

https://drive.google.com/file/d/1T2hfsQ1cKKAfvxLY_m4GpfeRuOcymDam/view?usp=sharing

Ultimately, I had to do the unthinkable: take Ally back to Larchmont myself. As I was driving away after having dropped her off, I received word that Ally had not gone into the home. It turns out that Ally instead went to the police! Rather than focus on a child who was so desperate that she would go to a police station over her own house, Ms. Most sought again to blame me, lying to the court that I encouraged Ally to go to the police and that I “followed” her to ensure she went. This is simply a lie for which there is not a shred of proof. It just conveniently fits into Ms. Most’s malevolent narrative.

In perhaps the most disturbing action she took in this case, during the emergency conference that took place the day after Ally ran away, Ms. Most advocated for her own client, an 11 year old, to be placed in a Wilderness Camp in Idaho and then a therapeutic boarding school – over time with her own mother. See **Exhibit OOO** at 13 and 26. Ms. Most purposefully mischaracterized her conduct in running away to me, her own mother, as “troubled” and truancy. In her malevolent and disingenuous portrayal of the events that day, she tried to find any way she could to prevent Ally from being with me. She also saw Ally as a problem for the father, so she was attempting to remove her from the household so she could no longer report him. She also tried to have Ally’s neuropsychological report – unredacted - disclosed to the school district! *Id.* at 14-15. How on earth could that be beneficial to Ally? It could not. It was meant to create a problem for her at the school so that the only remaining choice would be a therapeutic school.

Ally was eventually taken back to her father’s house on January 27, 2021. The father then continued his relentless campaign to alienate me from her and her sisters. In text messages and emails, he wrote to Ally that I did “not care about” her grades. See **Exhibit PPP**. He excluded me from all aspects of her life and that of her sisters, despite an order requiring him to consult

with me. He denigrated me to my community, repeatedly calling me a “deadbeat” and worse and he told the children they would “no longer be celebrating Easter”. See **Exhibit QQQ and RRR**. He instructed JoJo’s school to remove me from all correspondence with the school. See **Exhibit SSS**. He told the children I was “trying to get him fired” and that he would “have to work in a gas station,” as you can hear in Ally’s voicemail message to me from March 2020. See

https://drive.google.com/file/d/1QsHBqVTe8Jrdull74bVjxzT_-IRkGAo3/view?usp=sharing

None of this mattered to the AFC, who was happy to see me excised from my children’s lives and who refused to undertake her job to reunify and foster relationships with the children. She saw the father as her true client.

In January and February 2021, I was having difficulty paying for the visits with my children – which at \$2500/week cost almost as much as my take-home pay. I was literally choosing between heat, eating and therapeutic visits with the girls. They kept saying things like “why are you on supervision?” “Why isn’t daddy the one on supervision?” “Why does Ms. Most say you are ‘dangerous’”? They were embarrassed, scared, and even pained to see their mother like this. Yet, Ms. Most continued her campaign to erase me. She would tell the court repeatedly that I had a mental illness when I did not. When the father refused to bring the girls to visits after February 16, 2021 because I was having difficulty finding money to pay for weekly visits, the AFC did nothing. She was silent.

By March 15, 2021, after not seeing me for a month, Ally again had had enough of living with her father in his miserable household. That day, she repeated her behavior from January by taking a taxi to my house. She again arrived scared, crying, hungry but so excited to see me after so long. When CPS came to the house to again remove her, she refused to go. She told the caseworkers she wanted to stay with me and if she could not, she wanted to go to foster care. The CPS caseworkers called the police to try to forcibly remove her, even after she said she would prefer to go to a foster home than her father’s house. When the police arrived, Ally became physically ill. See

<https://drive.google.com/drive/folders/1kIbWYPSer6Qd2NREnuKBJnLqg5UF0Gaz?usp=sharing>

She began to hyperventilate as well and said she was going to faint unless she could stay with me. Ms. Most’s reaction was to ignore Ally’s distress and again force her to leave my house. Ally was taken away to the hospital by ambulance. I was not even permitted to go with or follow her in my own car. Ms. Most did not even call or email me to tell me what had happened to my daughter.

This was essentially the end of my relationship with my girls. From this point onward, I saw them only a handful of times – each time the girls repeating things their father had told them about me that were untrue. For instance, he told them I lied that I was “homeless” when indeed I had been homeless from March 2020 to August 2020. He lied that I was too poor to send my daughter to the French American School when I was the only parent who paid her bill in full (after getting financial aid) and supported her attendance there while he claimed to “hate” the school. Ms. Most allowed all this denigration of me by the father to occur. She failed to protect

the noncustodial parental relationship and even encouraged its demise. She went so far as to accuse me of giving my daughter \$10 on February 16, 2021 to take a taxi to my house on March 15, 2021. Not only is \$10 far less than what is needed to go from Larchmont to New Rochelle by taxi, Ally was complaining about a lack of food. That is why I gave her a small amount of money. I even brought an emergency Order to Show Cause to prevent further damage to my bond with my daughters – but Most ignored me. *See Exhibit VVV.*

Since this time, Most has told the court that two of the girls no longer wish to see me. I am devastated by this. I know it not to be true. I know that whatever feelings they have were engendered by a malevolent and cruel AFC who has exercised dominion over them – and they know it and will do what it takes to please her. They are in “survival mode” now. She has gone so far as to support a temporary order of protection against me, in their favor. I have cross-moved to show that the father is abusive to me and stalking me in violation of New York State Penal Law. *See Exhibit WWW, WWW(1), WWW(2).* The photos from the father’s phone show a happy encounter between me and my daughter and then, on June 25, 2021, a scary stalking of me while I was sitting at a restaurant in Larchmont where I live, alone and working on my computer. The father used these photos to request an order of protection, which Carol Most supported as well! Here is the irony: a mom who has been abused during a 13 year marriage is now the subject of a TOP.

Most is now demanding payment from me. In support, she relies almost exclusively on the disgraced Abrams’ “diagnosis” of me. *See Exhibit XXX.* In order to challenge the finding of Abrams as to my mental health, I underwent a psychological evaluation at my own expense with Dr Leonard Gries. I should not have had to do that. Should you wish to speak to him, I can provide you his contact information.

Ms. Most also failed to tell me or the court that my prior counsel, Marcia Kusnetz, and she had acrimonious litigation against one another, amounting to hundreds of thousands of dollars. She was accused of misappropriation of funds. The anger and hostility that Most had toward Kusnetz was palpable and her absurd positions became more and more punitive with each day Kusnetz was on this case. The cases are available on NYSCEF – Kusnetz v. Most. They are from 2013.

I have lost everything: I am penniless and liquidating retirement accounts; I have enormous credit card debt; I have been deprived of almost all my worldly belongings for over a year; I was homeless and was living in other peoples’ homes from approximately June 2019 to August 2020. I have lost almost all contact with my precious children. It is inhuman. The emotional and financial trauma this AFC has caused cannot be measured. I wake up each morning wondering how I will be able to make it through the day without having a heart attack or stroke – and without the love of my very own children.

I have learned that Ms. Most has taken precisely the same positions in other matters as well: that a protective mother who raised issues of domestic abuse should be put on supervision, that she should “substitute judgment” for three intelligent and independent girls roughly the ages of my own girls, that it is her right to interfere with investigations into domestic abuse by the father, and that the mother who reports abuse is “mentally ill” and “gaslighting” her children. Ms. Most

has found a way to inject so much misery and acrimony in a case to the benefit of the monied spouse – and ultimately to her own financial benefit. By splitting apart mothers from their children, and emboldening the abusive fathers, she creates a venue where every issue must be and is litigated. This, in turn, makes money for her and keeps the cases that would otherwise settle going indefinitely.

Collateral Events

It is important to know that Ms. Most is involved with another case pending in Westchester County where Abrams has been the custody evaluator, *Treanor v. Treanor*. In that case, Ms. Stephanie Treanor had a disturbing interactions with both Abrams and Carol Most, prompting her desire to move for their removal from her case. Her bases were nearly identical to my own. At the time, she was represented by Gus Dimopoulos, who is also the attorney who currently represents my ex, Allan Kassenoff. When Ms. Treanor raised her desire to move for Abrams' and Most's disqualification, Mr. Dimopoulos responded with a letter. See **Exhibit YYY**. This letter makes very clear that he was willing to place his own client's interests in a lesser position than the interests of Most and Abrams. It shows an unethical and improper alignment between himself, Most and Abrams. This is a very clear indication that there is collusion among these three that needs to be investigated and addressed. That same collusion exists in my case as well and perhaps in others (such as with Jamie Kayam).

Conclusion

The above detailed and substantiated account of Ms. Most's wrongdoing in this case should warrant intense investigation and penalties. ***As a result of her misconduct, I have not seen or had contact with my own children in over 3 months.***

I respectfully ask this Office to review the materials I have supplied herein and allow me the opportunity to interview, should that be necessary. The aforementioned allegations and evidentiary support make clear that Ms. Most has entirely failed to advocate on behalf of her 3 young clients. She has manipulated the law to achieve the outcome she wants by misusing the law of "substitution of judgment" for children who are assertive and intelligent. She has lied to the court and to her clients about me and to achieve a certain outcome that favors the father with whom she is allied financially. She has covered for her own failures by falsely blaming me. And she has relied almost entirely on a disgraced forensic evaluator with whom she has colluded for years. Her conflict of interest in this case when Ms. Kusnetz came onboard was never disclosed either, resulting in further prejudice to me and my children. Because of this AFC, three little girls remain in the exclusive care of a documented abuser.

She needs to be held accountable.

Respectfully submitted,



BY: _____
Catherine Kassenoff