

MOST & SCHNEID, P.C.
222 Bloomingdale Road
Suite 302
White Plains, NY 10605

Invoice submitted to:

Allan Kassenoff
c/o Dimopoulos & Bruggemann
73 Main Street
Tuckahoe, NY 10707

Catherine Kassinoff
c/o Marcia Kusnetz, Esq.
2 International Drive, Ste 170
Rye Brook NY 10573

March 3, 2021

Invoice # 23925

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
1/20/2021 - CWM Read and Review review of letter to court from Marcia Kusnetz 1	0.20 400.00/hr	80.00
2/1/2021 - CWM Conference conference with Kuhl	0.70 400.00/hr	280.00
- CWM Writing text message to Kuhl	0.10 400.00/hr	40.00
- CWM Telephone Call from Gus	0.10 400.00/hr	40.00
- CWM Read and Review review of email from Gus 2	0.10 400.00/hr	40.00
- CWM Read and Review review of letter from Marcia Kusnetz 3	0.10 400.00/hr	40.00
- CWM Appearance in Court Virtual court appearance	0.50 400.00/hr	200.00
- CWM Email Correspondence email to Maria Baratta regarding affirmation 4	0.10 400.00/hr	40.00
- CWM Read and Review review of email from Carlos Maldave 5	0.10 400.00/hr	40.00
2/2/2021 - CWM Read and Review review of emails from Chava White and Allan Kassenoff 6	0.10 400.00/hr	40.00

			<u>Hrs/Rate</u>	<u>Amount</u>
2/2/2021	- CWM Read and Review		0.10	40.00
	Review of email from Gus Dimopolous	7	400.00/hr	
	- CWM Read and Review		0.10	40.00
	review of two orders submitted on notice	8	400.00/hr	
2/3/2021	- CWM Read and Review		0.20	80.00
	review of affidavits regarding FASNY	9	400.00/hr	
	- CWM Appearance in Court		1.10	440.00
	Virtual court appearance		400.00/hr	
	- CWM Email Correspondence		0.20	80.00
	email to court regarding education lawyers	10	400.00/hr	
	- CWM Read and Review		0.20	80.00
	review of Appellate Division decision	11	400.00/hr	
	- CWM Email Correspondence		0.10	40.00
	email to court with Appellate Division decision	12	400.00/hr	
	- CWM Read and Review		0.10	40.00
	review of two Appellate Division decisions	13	400.00/hr	
	- CWM Read and Review		0.10	40.00
	review of 5 emails regarding zoom and numerous regarding Video	14	400.00/hr	
	- CWM Read and Review		0.10	40.00
	review of order submitted by Marcia Kusnetz	15	400.00/hr	
2/4/2021	- CWM Read and Review		0.10	40.00
	review of email from Catherine	16	400.00/hr	
	- CWM Read and Respond to E-mail		0.10	40.00
	respond to email from Allan Kassenoff	17	400.00/hr	
	- CWM Read and Review		0.10	40.00
	review of emails from Catherine to Allan and Allan to Catherine regarding FASNY	18	400.00/hr	
	- CWM Read and Review		0.10	40.00
	review of email from Marcia Kusnetz to court	19	400.00/hr	
	- CWM Conference		1.10	440.00
	meeting with clients		400.00/hr	
	- CWM Read and Review		0.10	40.00
	review of emails regarding Dr. McGuffog, Catherine and Allan	20	400.00/hr	
	- CWM Read and Respond to E-mail		0.10	40.00
	respond to email from Allan and Gus Dimopolous	21	400.00/hr	

		Hrs/Rate	Amount
2/5/2021	- CWM Telephone Call to Kuhl	0.30 400.00/hr	120.00
	- CWM Read and Review review of emails from Dr. Abrams and counsel 22	0.10 400.00/hr	40.00
2/6/2021	- CWM Read and Review review of email from Carlos Maldave 23	0.10 400.00/hr	40.00
	- CWM Read and Review review of settlement proposal from Marcia Kusnetz	0.50 400.00/hr	200.00
2/8/2021	- CWM Read and Review review of email from Catherine Kassenoff 24	0.10 400.00/hr	40.00
2/10/2021	- CWM Read and Review review of emails from Dr. McGuffog and Catherine (multiple emails) 25	0.20 400.00/hr	80.00
	- CWM Read and Review review of emails from Catherine to Allan 26	0.20 400.00/hr	80.00
	- CWM Read and Review review of letter to court by Dr. Abrams 27	0.10 400.00/hr	40.00
	- CWM Read and Review review of email from Allan Kassenoff 28	0.10 400.00/hr	40.00
	- CWM Read and Review review of email from Dr. Abrams to court 29	0.10 400.00/hr	40.00
2/11/2021	- CWM Read and Review review of email from Gus Dimopolous to court 30	0.10 400.00/hr	40.00
	- CWM Read and Review Review of letter to court from Marcia Kusnetz 31	0.20 400.00/hr	80.00
	- CWM Read and Review review of emails from Allan and Catherine 32	0.10 400.00/hr	40.00
2/12/2021	- CWM Read and Review review of email from Allan regarding Catherine, Alan mortgage 33	0.10 400.00/hr	40.00
2/15/2021	- CWM Read and Review review of multiple emails from counsel 34	0.20 400.00/hr	80.00
	- CWM Read and Review review of email from Carlos Maldave 35	0.10 400.00/hr	40.00
2/16/2021	- CWM Read and Review review of letter from Ruchama Cohen to court 36	0.30 400.00/hr	120.00

		<u>Hrs/Rate</u>	<u>Amount</u>
2/16/2021	- CWM Read and Respond to E-mail respond to email from court	0.10 400.00/hr	40.00
	- CWM Read and Review review of letter to court from Gus Dimopolous	0.10 400.00/hr	40.00
	- CWM Read and Review review of email from Marcia Kusnetz	0.10 400.00/hr	40.00
	- CWM Read and Review review of emails from counsel	0.10 400.00/hr	40.00
2/17/2021	- CWM Read and Review review of email from McEvoy	0.10 400.00/hr	40.00
	- CWM Read and Review review of email from Marcia Kusnetz	0.10 400.00/hr	40.00
2/18/2021	- CWM Read and Review review of letter to court from Marcia Kusnetz	0.20 400.00/hr	80.00
	- CWM Read and Review review of email from Referee Ratner	0.10 400.00/hr	40.00
	- CWM Read and Review review of email from Allan to Carlos Maldave	0.10 400.00/hr	40.00
	- CWM Read and Review review of email from Catherine regarding heat	0.10 400.00/hr	40.00
	- CWM Read and Review review of email from Gus Dimopolous to court	0.10 400.00/hr	40.00
	- CWM Read and Review review of email to counsel from Referee Ratner	0.10 400.00/hr	40.00
	- CWM Read and Review review of email to Carlos Maldave	0.10 400.00/hr	40.00
	- CWM Read and Respond to E-mail respond to email from Gus Dimopoulos	0.10 400.00/hr	40.00
	- CWM Read and Review review of order to show cause from Marcia Kusnetz to relieve CWM as counsel for Ally	1.40 400.00/hr	560.00
	- CWM Preparation prepare affirmation in response to order to show cause	2.40 400.00/hr	960.00
	- CWM Read and Review review of three emails regarding access	0.10 400.00/hr	40.00

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		<u>Hrs/Rate</u>	<u>Amount</u>
2/19/2021	- CWM Read and Respond to E-mail respond to email from Gus Dimopolous regarding access	0.10 400.00/hr	40.00
	- CWM Read and Review review of email from Chava White	0.10 400.00/hr	40.00
	- CWM Read and Review review of letter from FASNY	0.10 400.00/hr	40.00
	- CWM Read and Review review of emails from Catherine	0.10 400.00/hr	40.00
	- CWM Read and Review review of Dr. McGuffog's report	1.40 400.00/hr	560.00
	- CWM Writing writing of affirmation in response to otsc to remove CWM as attorney for Ally	4.60 400.00/hr	1,840.00
2/20/2021	- CWM Read and Review review of emails between Catherine and Allan	0.10 400.00/hr	40.00
2/21/2021	- CWM Read and Review review of email from Allan	0.10 400.00/hr	40.00
2/22/2021	- CWM Read and Review review of letter to court from Marcia Kusnetz	0.10 400.00/hr	40.00
	- CWM Letter Letter to court	0.40 400.00/hr	160.00
	- CWM Telephone Call from Dr. Adler	0.10 400.00/hr	40.00
	- CWM Telephone Call to Dr. Kuhl	0.10 400.00/hr	40.00
	- CWM Read and Review review of emails from Gus and Carlos Maldave	0.10 400.00/hr	40.00
	- CWM Read and Respond to E-mail respond to email from Carlos Maldave	0.10 400.00/hr	40.00
	- CWM Read and Review review of exhibits to motion	2.10 400.00/hr	840.00
	- CWM Writing Continued preparation of affirmation	1.80 400.00/hr	720.00
	- CWM Research Research for memorandum of law	0.60 400.00/hr	240.00

		<u>Hrs/Rate</u>	<u>Amount</u>
2/23/2021	- CWM Read and Review review of supervised services report 63	1.40 400.00/hr	560.00
	- CWM Read and Review review of letter to court by Marcia Kusnetz 64	0.20 400.00/hr	80.00
	- CWM Read and Review Review of motion by defendant/research	2.50 400.00/hr	1,000.00
2/24/2021	- CWM Read and Review review of letter from Gus Dimopolous to court 65	0.10 400.00/hr	40.00
	- CWM Appearance in Court Virtual court appearance before Referee Ratner	1.00 400.00/hr	400.00
	- CWM Research research of cases for opposition papers	3.10 400.00/hr	1,240.00
	- CWM Read and Respond to E-mail respond to email from Gus Dimopolous 66	0.10 400.00/hr	40.00
	- CWM Read and Review review of email from Dr. Abrams 67	0.10 400.00/hr	40.00
	- CWM Read and Review review of email from Gus 68	0.10 400.00/hr	40.00
2/25/2021	- CWM Read and Review review of email from Referee Ratner 69	0.10 400.00/hr	40.00
	- CWM Read and Review review of report	0.10 400.00/hr	40.00
2/26/2021	- CWM Read and Review review of email from court 70	0.10 400.00/hr	40.00
	- CWM Read and Review review of email from Marcia Kusnetz 71	0.10 400.00/hr	40.00
	- CWM Read and Review review of email from Chava White 72	0.10 400.00/hr	40.00
	- CWM Read and Review review of email from Gus Dimopolous to Referee Ratner 73	0.10 400.00/hr	40.00
	- CWM Writing completed writing of affirmation and memorandum	2.10 400.00/hr	840.00
	- CWM Read and Review review of email from Gus Dimopolous and Lisa Vara 74	0.10 400.00/hr	40.00

		<u>Hrs/Rate</u>	<u>Amount</u>
2/26/2021	CWM Read and Review review of email to Ms. Ratner regarding Rule E	0.20 400.00/hr	80.00
	For professional services rendered	<u>38.00</u>	<u>\$15,200.00</u>
Additional Charges :			
		<u>Qty/Price</u>	
2/28/2021	P Copying Color copy charge for February	22 0.30	6.60
	P Copying Black copy charge for February	331 0.20	66.20
	Total costs		<u>\$72.80</u>
	Total amount of this bill		<u>\$15,272.80</u>
	Previous balance		\$140,070.78
	Balance due		<u><u>\$155,343.58</u></u>

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Please review this bill carefully. Payment is due upon receipt. If you would like to discuss any part of this bill, please contact this office within 10 days of receipt. If no objection to the bill as presented is made by you within 10 days, it will be deemed accurate and correct.

If monthly payments are not made on an unpaid balance, we reserve the right to add interest as per our retainer agreement.

Any payments that do not appear on this bill will be reflected on your next billing statement.

WE ARE PLEASED TO OFFER THE CONVENIENCE OF PAYING BY CREDIT CARD. WE ACCEPT MASTERCARD, VISA OR AMERICAN EXPRESS. PLEASE CONTACT OUR OFFICE FOR MORE INFORMATION.

the following emails and
letters were read but not billed

Carol Most

From: Carol Most
Sent: Wednesday, February 3, 2021 1:58 PM
To: 'Maria Baratta'
Cc: 'Gus Dimopoulos'; Marcia Kusnetz; Ruchama Cohen; Lisa Vara; Diane Steiner; 'Michael Chiaramonte'
Subject: FW: Appellate Division Order
Attachments: 2020_06860_cal_2020_06860_ALLAN_KASSENOFF_v_CATHERINE_KASSENOFF_ORDER_28.pdf

Dear Ms. Baratta: I am attaching the decision from the Appellate Dept. regarding the stay.

Carol W. Most
Most & Schneid, P.C.
White Plains Office:
222 Bloomingdale Road, Suite 302
White Plains, NY 10605
Tel: 914.997.9181
Fax: 914.997.9180

Garden City Office:
666 Old Country Road, Suite 304
Garden City, NY 11530
Tel: 516.453.9000
Fax: 914.997.9180

SuperLawyers



THE LAW OFFICE OF MARCIA E. KUSNETZ, P.C.

ATTORNEYS AT LAW

MARCIA E. KUSNETZ, ESQ.
marcia@marciakusnetzlaw.com
mekusnetzlaw.com

2 INTERNATIONAL DRIVE, SUITE 170
RYE BROOK, NEW YORK 10573
Tel. 914-772-7933

February 1, 2021

VIA NYSCEF & E-MAIL

Honorable Nancy Quinn-Koba, JSC
Supreme Court of the State of New York
County of Westchester
111 Dr. Martin Luther King, Jr. Blvd
White Plains, NY 10601
Att.: Maria Baratta, Esq.
Court Attorney Referee Irene Ratner

Re: Kassenoff v. Kassenoff, Index No. 58217-2019
FASNY DEADLINE

Dear Judge Quinn-Koba:

We represent the Defendant Catherine Kassenoff. We write to inform the Court that today is the deadline for the payment of a tuition deposit of \$3,000.00, in order to secure a place for Charlotte Kassenoff at FASNY in the Fall 2021. As occurred before, my client will pay one-half of the deposit to the school, \$1,500.00. I append for the Court the notice received by the parties for payment of the deposit.

I also confirm that my client has fully paid her share of tuition for 2020-2021 for Charlotte, while the Father, despite the Court's directive, appended hereto, has not.

I refer specifically to Mr. Dimopoulos' false representation to the Court that FASNY was not aware of an 80/20 split for tuition for Catherine. Although deposits are paid prior to consideration of any scholarship application and are paid 50/50, the School considers any change in allocation in payment with regard to scholarship grants. Mr. Dimopoulos and his client disingenuously claim that they believe FASNY was not informed of the changed allocation- how can that be possible when FASNY issued the tuition statement on July 28, 2020 for the total amount of tuition due, \$10,350.75. **The tuition was then broken down, by FASNY, and FASNY issued an invoice to my client on August 17, 2020 for 20% of that total sum.** There was full disclosure to the school.

This is just an attempt by the Father to get Charlotte out of FASNY- I note that Mr. Dimopoulos tossed into the discussion on Friday to the Referee, that his client is the custodial parent and can make that decision. If we have to obtain an Order from this Court that Charlotte be permitted to continue her education at FASNY next year, just let us know and we will file an Order

Kassenoff v. Kassenoff
Page 2.

to Show Cause. This is outrageous, how can a temporary custodian be oblivious to and take such risks with the mental state of Charlotte?

We thought that the Court was clear that Charlotte would be continuing at FASNY, and now we see the Plaintiff's true motive, by failing to satisfy the tuition arrears, which he promised the Court he would do by January 1, 2021, for Charlotte to lose her spot at FASNY.

Again, the AFC was silent on this issue- on any issue which places the Father's sole custody in a negative light, despite the clear wishes expressed by Charlotte to remain at FASNY (reflected in the last CFS summary report).

Thanking Your Honor for your consideration.

Respectfully,


Marcia E. Kusnetz, Esq.

cc: Gus Dimopoulos, Esq.
Carol Most, Esq.
Lisa Vara, Esq.
Ruchama Cohen, Esq.
Diane Steiner, Esq.
Catherine Kassenoff

Urgent

catherine kassenoff <ckassenoff@yahoo.com>

Mon 2/1/2021 10:22 AM

To: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>

See below. Today is the final day to sign the contact and then pay a \$3,000 deposit.

----- Forwarded Message -----

From: Admissions at FASNY <kugoji@fasny.org>

To: Akassenoff <akassenoff@yahoo.com>

Cc: Ckassenoff <ckassenoff@yahoo.com>

Sent: Monday, February 1, 2021, 09:05:59 AM EST

Subject: Final Day To Complete Your 21-22 Re-Enrollment

**FINAL REMINDER
Contracts expire today,
End of day**

Dear parents,

You are receiving this email as a friendly reminder to complete your re-enrollment agreement. Please note that non-submitted contracts will automatically **expire at the end of day, today.**

Action item: Complete the Enrollment Agreement today to secure your spot at FASNY for the fall.

Important note: please read carefully.

Unsure about your plans for next year but you don't want to lose your spot? In submitting a signed re-enrollment contract and mandatory \$3,000 deposit today, you guarantee your child a spot at FASNY for the 2021-2022 school year until June 1, 2021*, whatever your plans might be .

Registration can be canceled at any time before June 1, 2021*.

Log in using your regular parent LMS credentials.

Need help? Email us at [registrar](#).

***Please note that deposits are not refundable.**

Leaving FASNY at the end of the school year? If you are relocating or know you will not be returning to FASNY next year, please complete the departure form on your LMS portal. This year, we will also schedule exit interviews for all departing families. It will be the perfect opportunity for us to wish your family the best of success in your new endeavor and to circle back on your experience at FASNY

The Admissions Office

Fw: Your Smart Tuition Invoice for August 2020

catherine kassenoff <ckassenoff@yahoo.com>

Mon 2/1/2021 12:12 PM

To: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Lisa Vara <lvaragulmez@sffny.org>

Marcia and Lisa,

See below. The 7/28/20 invoice is the total that was due on 11/1/20. It was then broken down 80/20 and the invoice for my 20% share was sent on 8/17/20. I paid \$2000 in November and the remaining \$70 last month. Allan paid zero.

Catherine

----- Forwarded Message -----

From: customerservice@smarttuition.com <customerservice@smarttuition.com>**To:** "ckassenoff@yahoo.com" <ckassenoff@yahoo.com>**Cc:** "akassenoff@yahoo.com" <akassenoff@yahoo.com>**Sent:** Monday, August 17, 2020, 07:03:23 AM EDT**Subject:** Your Smart Tuition Invoice for September 2020

School Logo

Catherine Kassenoff

Smart Tuition ID: 1413520000830

Your September 2020 invoice for **French-American School of New York** is now available

AMOUNT DUE

\$2,070.75

PAYMENT DUE BY Sep 03, 2020

[Download Invoice](#)

Invoices are saved on our website and can be viewed at any time. To access your Smart Tuition account and pay your bill, login at parent.smarttuition.com.

Thank you,

Smart Tuition[Smart Tuition](#)

----- Forwarded Message -----

From: customerservice@smarttuition.com <customerservice@smarttuition.com>
To: "ckassenoff@yahoo.com" <ckassenoff@yahoo.com>
Cc: "akassenoff@yahoo.com" <akassenoff@yahoo.com>
Sent: Tuesday, July 28, 2020, 07:06:55 AM EDT
Subject: Your Smart Tuition Invoice for August 2020

School Logo

Catherine Kassenoff

Smart Tuition ID: 1413520000830

Your August 2020 invoice for **French-American School of New York** is now available

AMOUNT DUE

10,350.75

PAYMENT DUE BY Aug 03, 2020

[Download Invoice](#)

Invoices are saved on our website and can be viewed at any time. To access your Smart Tuition account and pay your bill, login at parent.smarttuition.com.

Thank you,

Smart Tuition

[Smart Tuition](#)

1 Okay?

2 The other issue that was raised in the order to
3 show cause -- oh, and just so we're clear on the COVID
4 protocols, obviously, under this current situation, anyone
5 coming into the house, we're going to adhere to that, and
6 make sure they wear a mask and socially distance.

7 FASNY tuition, has that been paid, Mr. Kassenoff?

8 THE PLAINTIFF: I'm working with the school,
9 Your Honor, to extend it, to pay the last payment right
10 after January 1st.

11 I'm still working with them on that.

12 THE COURT: All right, so you're addressing that
13 issue, and that will be paid, based upon whatever you agree
14 to?

15 THE PLAINTIFF: Yes.

16 THE COURT: Okay.

17 Now, there was an allegation made, that you had
18 brought a date into the house, and that the children may
19 have seen activity that was sexual in nature.

20 So could you please reply to that, Mr. Dimopoulos?

21 MR. DIMOPOULOS: Sure, Your Honor.

22 My client is dating someone.

23 He -- it's not dates, it's not multiple dates.

24 It's one person. He's in a relationship with her.

25 The kids have met her as a friend.

MOST & SCHNEID, P.C.
ATTORNEYS AT LAW

CAROL W. MOST, ESQ.
ADAM W. SCHNEID, ESQ.

222 BLOOMINGDALE ROAD, SUITE 302
WHITE PLAINS, NEW YORK 10605
914.997.9181
914.997.9180 FAX

LONG ISLAND OFFICE:
666 OLD COUNTRY ROAD, SUITE 304
GARDEN CITY, NEW YORK 11530
516-453-9000
914-997-9180 FAX

This law firm does not accept service by facsimile

February 8, 2021

via email and NYSCEF

Hon. Nancy Quinn Koba, J.S.C.
Westchester County Supreme Court
111 Dr. Martin Luther King Jr. Blvd.
White Plains, NY 10601

Re: Kassenoff v Kassenoff
Index No: 58217/2019

Dear Judge Koba:

I am the attorney for the children: Alexandra, Charlotte and Josephina. Plaintiff is represented by Gus Dimopoulos, Esq. and Marcia Kusnetz, Esq. and Sanctuary for Families represents the Defendant.

I am in receipt of Ms. Kusnetz's letter of last night. Frankly, I am tired of being attacked by Ms. Kusnetz as well as her client. Neither of them were with me when I met with my clients at my office last week. (Not as mistakenly reported by Ms. Kusnetz at the Father's home.) I completely deny Ms Kusnetz's allegations. Ms. Kusnetz is incorrect as to what occurred during

my meeting with my clients.

Respectfully,
Carol W. Most
CAROL MOST

cc: Gus Dimopoulos, Esq. (Via email and NYSCEF)
Marcia Kusnetz, Esq (Via email and NYSCEF)
Sanctuary for Families (Via NYSCEF)

Carol Most

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Thursday, February 11, 2021 2:02 PM
To: Irene Ratner; Gus Dimopoulos; Carol Most; Lisa Vara; Ruchama Cohen; Diane Steiner; Maria Baratta
Subject: Re: Kassenoff matter

Referee, my co counsel were not included on the email chain and the Plaintiff should not be.

Can you please check on the issuance of the FASNY Order. Due to the Plaintiff's refusal to pay FASNY tuition arrears, Charlotte's spot for next year has been lost and she is now waitlisted.

Thank you, Marcia E. Kusnetz

Sent from my iPhone

On Feb 11, 2021, at 1:47 PM, Carol Most <carolmost@cwmost.com> wrote:

thankyou

Carol W. Most
Most & Schneid, P.C.

White Plains Office:
222 Bloomingdale Road, Suite 302
White Plains, NY 10605
Tel: 914.997.9181
Fax: 914.997.9180

Garden City Office:
666 Old Country Road, Suite 304
Garden City, NY 11530
Tel: 516.453.9000
Fax: 914.997.9180

<image001.png>

<image002.jpg>

From: Irene Ratner <iratner@nycourts.gov>
Sent: Thursday, February 11, 2021 1:40 PM
To: Gus Dimopoulos <gd@dimolaw.com>; Maria Baratta <mbaratta@nycourts.gov>; 'Marcia Kusnetz' <marcia@marciakusnetzlaw.com>; Carol Most <carolmost@cwmost.com>
Cc: Kassenoff, Allan (Shld-NY-IP-Tech) <KassenoffA@gtlaw.com>; Lucille C. Valentin <lvalentin@nycourts.gov>
Subject: RE: Kassenoff matter

The matter is scheduled for a conference on 2/22 @ 9:30.

A Teams link will be sent to counsel.

IRatner

From: Gus Dimopoulos <gd@dimolaw.com>
Sent: Wednesday, February 10, 2021 8:59 PM
To: Maria Baratta <mbaratta@nycourts.gov>; Irene Ratner <iratner@nycourts.gov>; 'Marcia Kusnetz' <marcia@marciakusnetzlaw.com>; 'Carol W. Most' <carolmost@cwmost.com>

Cc: Kassenoff, Allan (Shld-NY-IP-Tech) <KassenoffA@gtlaw.com>

Subject: RE: Kassenoff matter

Ms. Baratta,

I would respectfully request the Court conduct a conference on this matter as soon as possible - - it appears that without guidance from the court this process will be delayed unnecessarily.

From: drmarc@bestweb.net <drmarc@bestweb.net>

Sent: Wednesday, February 10, 2021 4:23 PM

To: 'Maria Baratta' <mbaratta@nycourts.gov>; 'Irene Ratner' <iratner@nycourts.gov>; 'Marcia Kusnetz' <marcia@marciakusnetzlaw.com>; Gus Dimopoulos <gd@dimolaw.com>; 'Carol W. Most' <carolmost@cwmost.com>

Subject: Kassenoff matter

To All Involved:

Since sending out an a letter this morning to The Court, Mrs. Kassenoff has had several email exchanges with me in which she has sought to create the impression that I had somehow misled This Court in my letter. I fully stand behind everything that I wrote in my letter. I have made it very clear to Mrs. Kassenoff that I will send a letter to This Court AFTER I have spoken with the treaters who are involved in Mrs. Kassenoff's clinical trial at Sloan Kettering. AFTER I have spoken with them. I will then confirm Mrs. Kassenoff's appointment with me.

Respectfully,

Dr. Abrams

Please be CAREFUL when clicking links or opening attachments from external senders.

Carol Most

From: Lisa Vara <lvaragulmez@sffny.org>
Sent: Thursday, February 11, 2021 2:48 PM
To: Gus Dimopoulos; Marcia Kusnetz
Cc: Maria Baratta; Irene Ratner; Ruchama Cohen; Diane Steiner; Carol Most
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Ms. Baratta,

Would it be possible to check on the issuance of the FASNY Order? Mr. Dimopoulos submitted a proposed order and Ms. Kusnetz submitted a proposed counter order several days ago. Due to the Plaintiff's continued refusal to pay FASNY tuition arrears, Charlotte's spot for next year has been lost and she is now waitlisted as we feared would happen.

Thank you,

--

OUR PHONE EXTENSIONS HAVE CHANGED. PLEASE NOTE MY NEW EXTENSION BELOW.

Lisa S. Vara, Esq.
Director, Matrimonial/Economic Justice Project

Sanctuary for Families, Inc.
Center for Battered Women's Legal Services
30 Wall Street, 8th Floor
New York, NY 10005

T: 212-349-6009 x1347
F: 212-566-0344

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From: Gus Dimopoulos <gd@dimolaw.com>
Sent: Thursday, February 11, 2021 7:25 AM
To: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Cc: Maria Baratta <mbaratta@nycourts.gov>; Irene Ratner <iratner@nycourts.gov>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>; Diane Steiner <dsteiner@sffny.org>; Carol W. Most <carolmost@cwmost.com>
Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019

Ms. Baratta,

As I am on trial with Judge Koba, I request until tomorrow afternoon to respond to Ms. Kusnetz's letter.

Gus Dimopoulos
Managing Partner
Dimopoulos Bruggemann P.C.
914-472-4242
GD@dimolaw.com

Sent from my iPhone

On Feb 11, 2021, at 2:33 AM, Marcia Kusnetz <marcia@marciakusnetzlaw.com> wrote:

Dear Ms. Baratta, Please see the appended letter to the Court in response to Dr. Abrams' letter and communications with the Court, which was uploaded on NYSCEF.

Thank you,
Marcia E. Kusnetz, Esq.

Carol Most

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Tuesday, February 16, 2021 6:08 PM
To: Gus Dimopoulos
Cc: Lisa Vara; Carol Most; Maria Baratta; Irene Ratner; Ruchama Cohen
Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019

It is beyond business hours counsel. Your delayed opposition to this modest request will not be forgotten. In light of the hour, and the Referee's request, although Rule E was already granted, we will provide an outline of what has not been produced tomorrow. We hope that is acceptable to the Court.
Sent from my iPhone

On Feb 16, 2021, at 5:09 PM, Gus Dimopoulos <gd@dimolaw.com> wrote:

My response will be filed shortly.

From: Lisa Vara <lvaragulmez@sffny.org>
Sent: Tuesday, February 16, 2021 5:05 PM
To: Carol Most <carolmost@cwmost.com>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Maria Baratta <mbaratta@nycourts.gov>; Irene Ratner <iratner@nycourts.gov>
Cc: Gus Dimopoulos <gd@dimolaw.com>; Ruchama Cohen <rcohen@sffny.org>
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Ms. Baratta and Referee Ratner,

Ms. Most gave her consent for these brief extensions. We never heard anything from Mr. Dimopoulos though Referee Ratner indicated this morning that he could respond later on. In the absence of a response from him and it is now 5 PM, can we please be granted these brief extensions as requested by Ms. Kusnetz?

Thank you,

--

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Director, Matrimonial/Economic Justice Project

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<image001.png>

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From: Carol Most <carolmost@cwmost.com>
Sent: Tuesday, February 16, 2021 1:35 PM
To: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Maria Baratta <mbaratta@nycourts.gov>; Irene Ratner <iratner@nycourts.gov>
Cc: Gus Dimopoulos <gd@dimolaw.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Ms. Baratta: I have no objection.

Carol W. Most
Most & Schneid, P.C.
White Plains Office:
222 Bloomingdale Road, Suite 302
White Plains, NY 10605
Tel: 914.997.9181
Fax: 914.997.9180

Garden City Office:
666 Old Country Road, Suite 304
Garden City, NY 11530
Tel: 516.453.9000
Fax: 914.997.9180

<image002.png>
<image003.jpg>

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Tuesday, February 16, 2021 1:31 PM
To: Maria Baratta <mbaratta@nycourts.gov>; Irene Ratner <iratner@nycourts.gov>
Cc: Gus Dimopoulos <gd@dimolaw.com>; Carol Most <carolmost@cwmost.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>
Subject: Kassenoff v. Kassenoff Index No. 58217/2019

Dear Ms. Baratta and Referee Ratner: My trial before Judge Ondrovic which commenced today also settled today, and I am therefore asking for an additional day to file the Motion for a private attorney for Ally, until tomorrow, and for an extension to Thursday for the Motion to Compel. It is clear that neither Mr. Dimopoulos nor Ms. Most will agree to the extremely short extensions requested,

I note that the decision by the Referee to schedule a pre-Motion Conference, requested on January 5, 2021, for more than three weeks later was due to Mr. Dimopoulos' "trial preparation" in an unrelated matter. I would hope to be granted the same courtesy.

Thank you,
Marcia E. Kusnetz

Carol Most

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Friday, February 19, 2021 12:32 PM
To: Carol Most
Cc: Marcia Kusnetz; Lisa Vara
Subject: Fw: 2020-2021 Academic Year Tuition Obligation; Charlotte Kassenoff
Attachments: FASNY.Ltr to Kassenoff re Tuition Obligation.ghl.2.19.pdf

Forgot to ask: have you told Charlotte that her mother paid the school her pro rata portion in FULL and that the father refuses to pay less than \$9,000, his remaining balance? Have you told her that her records are being withheld, that she won't be allowed to enroll next year and that i can't apply for financial aid for her? Have you told her that the school is now coming after ME for Allan's share?

Isn't it your job to advocate for her?

----- Forwarded Message -----

From: catherine kassenoff <ckassenoff@yahoo.com>
To: Carol Most <carolmost@cwmost.com>
Sent: Friday, February 19, 2021, 12:01:26 PM EST
Subject: Fw: 2020-2021 Academic Year Tuition Obligation; Charlotte Kassenoff

So Carol, do you think this is a good development for Charlotte? Why aren't you demanding that Allan pay his bill as I did? See attached threat of legal action by FASNY.

----- Forwarded Message -----

From: Brown, Kimberly R. <krbrown2@venable.com>
To: KassenoffA@gtlaw.com <kassenoffa@gtlaw.com>; ckassenoff@yahoo.com <ckassenoff@yahoo.com>
Cc: Lee, Grace H. <ghlee@venable.com>; Pascale Tooth <ptooth@fasny.org>; Sykes, Ashley E. <asykes@venable.com>
Sent: Friday, February 19, 2021, 11:55:11 AM EST
Subject: 2020-2021 Academic Year Tuition Obligation; Charlotte Kassenoff

Dear Mr. and Mrs. Kassenoff,

Please find attached correspondence being forwarded on behalf of Grace Lee in the above-referenced subject matter.

Once you have had an opportunity to review the attached, please feel free to contact Ms. Lee directly with any questions or concerns.

Sincerely,

Kim

Kimberly R. Brown

Legal Administrative Assistant to Caryn G. Pass, Grace H. Lee, Janice P. Gregerson and Ashley Sykes

Venable LLP

t 202.344.4506 | f 202.344.8300

600 Massachusetts Avenue, NW, Washington, DC 20001

KRBrown2@Venable.com | www.Venable.com

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Carol Most

From: Gus Dimopoulos <gd@dimolaw.com>
Sent: Wednesday, February 24, 2021 8:19 PM
To: Irene Ratner; Lisa Vara
Cc: Marcia Kusnetz; Ruchama Cohen; Diane Steiner; Carol Most; Michael Chiamonte
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Referee Ratner:

I understand the Court is taking this matter under consideration – however, in so doing I would ask that the following factors are considered:

- In the height of COVID, the Defendant travelled on a plane to New Mexico.
- On at least 10 conferences with the Court, the Defendant took the video calls from Ms. Spielberg's office and never wore a mask while she was in the same room with Mr. Spielberg and her associate.
- She attended a 10 day custody trial, in person, and was reprimanded by the Court on a number of occasions for lowering her mask below her nose.
- She visits with the children, unmasked, each week.
- After the children had been exposed to their father (Who was positive) she demanded that the Court order that the children live temporarily with her despite the fact that the doctor determined they were presumed positive.
- Dr. Abrams is fully vaccinated and poses no risk to her (but still have heightened safety standards).

The Defendant's refusal to visit with Dr. Abrams in person is a ruse, calculated to delaying this process. The fact that she is using cancer as an excuse is despicable. I would respectfully request that she be **ordered** to appear, in person, on the dates/times set by Dr. Abrams.

Thank you.

Gus

From: Irene Ratner <iratner@nycourts.gov>
Sent: Wednesday, February 24, 2021 8:11 PM
To: Lisa Vara <lvaragulmez@sffny.org>
Cc: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Gus Dimopoulos <gd@dimolaw.com>; Ruchama Cohen <rcohen@sffny.org>; Diane Steiner <dsteiner@sffny.org>; Carol Most <carolmost@cwmost.com>
Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019

Thank you
Have a good evening

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From: Lisa Vara <lvaragulmez@sffny.org>
Sent: Wednesday, February 24, 2021 8:08:00 PM
To: Irene Ratner <iratner@nycourts.gov>
Cc: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Gus Dimopoulos <gd@dimolaw.com>; Ruchama Cohen <rcohen@sffny.org>; Diane Steiner <dsteiner@sffny.org>; Carol Most <carolmost@cwmost.com>
Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019

She has not had either vaccine.

Sent from my iPhone

On Feb 24, 2021, at 7:37 PM, Irene Ratner <iratner@nycourts.gov> wrote:

Judge Koba has inquired whether Ms. Catherine Kassenoff has had the Covid vaccine-either the first, both, or none.

IRatner

Please be CAREFUL when clicking links or opening attachments from external senders.

Carol Most

From: Lisa Vara <lvaragulmez@sffny.org>
Sent: Wednesday, February 24, 2021 9:00 PM
To: Gus Dimopoulos; Irene Ratner
Cc: Marcia Kusnetz; Ruchama Cohen; Diane Steiner; Carol Most; Michael Chiaramonte
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Referee,

As Ms. Kusnetz is preparing for trial tomorrow, I will respond.

It is outrageous that after Mr. Dimopoulos said at today's conference that he was not taking a position on this issue, and represented to Dr. Abrams that he had no issue with Ms. Kassenoff meeting with him virtually. Now, all of a sudden, just because the Court inquired as to Ms. Kassenoff's vaccination status, he is now taking this aggressive stance against Ms. Kassenoff. Then he complains about his client expending attorneys fees. This is a simple issue where any further communication was completely unnecessary.

The in-person trial, the trip to New Mexico, and the court conferences at Ms. Spielberg's offices all happened months ago when case counts were significantly lower and the new Covid variants originating in the UK, South Africa, or possibly other places were not yet known. There is reason to believe now in the present that these variants are now present in the New York City area and pose a greater risk and concern than the original strain of Covid-19, and case counts generally are higher as well.

I refer the Court to the NY Times' Coronavirus and Case Count Map, a valuable resource for tracking case counts in the area.

<https://www.nytimes.com/interactive/2020/us/new-york-coronavirus-cases.html>

Similarly, the case count graph for New Mexico also shows that at the time Ms. Kassenoff traveled there in late September to early October, case counts were very low there as well.

<https://www.nytimes.com/interactive/2020/us/new-mexico-coronavirus-cases.html>

You can see from this chart that the case count was at its lowest from July to October, the months in question. Now, though case counts have decreased from its highest peak, they are still quite high, very close to the highest levels last spring. This is nothing to discount or sneer at.

The fact that opposing counsel is discounting our client's serious medical condition as a ruse is itself despicable. Seeing one's children is different from going to meet with anyone else in small, enclosed spaces, as Dr. Abrams' office is. By that metric, anyone who has children who go to school or activities would lose the right to protect their health in other contexts. This cannot be correct. It is also perfectly understandable that someone may be willing to risk their health to ensure that their children are not exposed to Covid-19 on an ongoing basis where there is a real risk that they will be and that they otherwise be appropriately cared for, but may be more cautious for other purposes.

We reiterate our reasonable request for this meeting to be permitted to take place virtually in the current context where court proceedings, many medical appointments, workplaces, schools, and meetings have moved to a virtual medium. The Court has the power to delineate the parameters of such meetings. Given that Court themselves are

operating virtually, even holding virtual trials, a virtual meeting with a forensic examiner should not pose any problems. We also request that Mr. Dimopoulos' sudden change of position also be disregarded.

--
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Lisa S. Vara, Esq.

Director, Matrimonial/Economic Justice Project

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From: Gus Dimopoulos <gd@dimolaw.com>

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To: Irene Ratner <iratner@nycourts.gov>; Lisa Vara <lvaragulmez@sffny.org>

Cc: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Ruchama Cohen <rcohen@sffny.org>; Diane Steiner <dsteiner@sffny.org>; Carol Most <carolmost@cwmost.com>; Michael Chiaramonte <mc@dimolaw.com>

Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Referee Ratner:

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- In the height of COVID, the Defendant travelled on a plane to New Mexico.
- On at least 10 conferences with the Court, the Defendant took the video calls from Ms. Spielberg's office and never wore a mask while she was in the same room with Mr. Spielberg and her associate.
- She attended a 10 day custody trial, in person, and was reprimanded by the Court on a number of occasions for lowering her mask below her nose.
- She visits with the children, unmasked, each week.
- After the children had been exposed to their father (Who was positive) she demanded that the Court order that the children live temporarily with her despite the fact that the doctor determined they were presumed positive.
- Dr. Abrams is fully vaccinated and poses no risk to her (but still have heightened safety standards).

The Defendant's refusal to visit with Dr. Abrams in person is a ruse, calculated to delaying this process. The fact that she is using cancer as an excuse is despicable. I would respectfully request that she be **ordered** to appear, in person, on the dates/times set by Dr. Abrams.

Thank you.

Gus

From: Irene Ratner <iratner@nycourts.gov>
Sent: Wednesday, February 24, 2021 8:11 PM
To: Lisa Vara <lvaragulmez@sffny.org>
Cc: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Gus Dimopoulos <gd@dimolaw.com>; Ruchama Cohen <rcohen@sffny.org>; Diane Steiner <dsteiner@sffny.org>; Carol Most <carolmost@cwmost.com>
Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019

Thank you
Have a good evening

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Sent: Wednesday, February 24, 2021 8:08:00 PM
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Cc: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Gus Dimopoulos <gd@dimolaw.com>; Ruchama Cohen <rcohen@sffny.org>; Diane Steiner <dsteiner@sffny.org>; Carol Most <carolmost@cwmost.com>
Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019

She has not had either vaccine.

Sent from my iPhone

On Feb 24, 2021, at 7:37 PM, Irene Ratner <iratner@nycourts.gov> wrote:

Judge Koba has inquired whether Ms. Catherine Kassenoff has had the Covid vaccine-either the first, both, or none.

IRatner

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Carol Most

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Thursday, February 25, 2021 11:41 AM
To: Carol Most
Cc: catherine kassenoff; Wayne Baker; heather youssef
Subject: Fw: Eval CK

Carol:

Dr. Kuhl says "everything possible" should be done to keep Charlotte at FASNY. "Everything possible".

I have repeatedly asked you to advocate for Charlotte to stay at FASNY and, even with hard proof that Allan is putting finances ahead of his own daughter, you refuse to demand he make the payment of tuition arrears - just like you stayed silent last year - so that her spot in next year's class is maintained. I will be adding your failure to advocate for her to my malpractice action and grievance against you.

Carol Most

From: Gus Dimopoulos <gd@dimolaw.com>
Sent: Friday, February 26, 2021 1:36 PM
To: Lisa Vara; Marcia Kusnetz; Maria Baratta; Marc Abrams; Carol Most; Ruchama Cohen; Michael Chiaramonte
Cc: Irene Ratner
Subject: RE: 58217/2019 Kassenoff v Kassenoff

Ms. Vara,

Court reporters charge an appearance fee and then by the page, not by the hour. However, to avoid further delay (or excuse) I will *personally* pay any additional charge the court reporter charges for that one hour. Let's move forward!

From: Lisa Vara <lvaragulmez@sffny.org>
Sent: Friday, February 26, 2021 1:32 PM
To: Gus Dimopoulos <gd@dimolaw.com>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Maria Baratta <mbaratta@nycourts.gov>; Marc Abrams <Drmarc@bestweb.net>; Carol Most <carolmost@cwmost.com>; Ruchama Cohen <rcohen@sffny.org>; Michael Chiaramonte <mc@dimolaw.com>
Cc: Irene Ratner <iratner@nycourts.gov>
Subject: RE: 58217/2019 Kassenoff v Kassenoff

We object to having to pay a court reporter for their time for a "break" in the deposition of this length for purposes of a court conference. This is way beyond a bathroom break.

--

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Lisa S. Vara, Esq.
Director, Matrimonial/Economic Justice Project

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From: Gus Dimopoulos <gd@dimolaw.com>
Sent: Friday, February 26, 2021 1:29 PM
To: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Maria Baratta <mbaratta@nycourts.gov>; Marc Abrams <Drmarc@bestweb.net>; Carol Most <carolmost@cwmost.com>; Ruchama Cohen <rcohen@sffny.org>; Lisa Vara <lvaragulmez@sffny.org>; Michael Chiamonte <mc@dimolaw.com>
Cc: Irene Ratner <iratner@nycourts.gov>
Subject: RE: 58217/2019 Kassenoff v Kassenoff

We will not consent to adjourn the depositions. The conference should not take longer than an hour – we can break from the deposition to attend the conference, and then resume. One way or the other, we guarantee Ms. Kusnetz the 7-hours we agreed to.

Gus

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Friday, February 26, 2021 9:47 AM
To: Maria Baratta <mbaratta@nycourts.gov>; Marc Abrams <Drmarc@bestweb.net>; Gus Dimopoulos <gd@dimolaw.com>; Carol Most <carolmost@cwmost.com>; Ruchama Cohen <rcohen@sffny.org>; Lisa Vara <lvaragulmez@sffny.org>; Michael Chiamonte <mc@dimolaw.com>
Cc: Irene Ratner <iratner@nycourts.gov>
Subject: Re: 58217/2019 Kassenoff v Kassenoff

That hearing conflicts with the Court Ordered Deposition which will have to be rescheduled. I am on trial today.
Marcia

From: Maria Baratta <mbaratta@nycourts.gov>
Sent: Friday, February 26, 2021 9:24 AM
To: Marc Abrams <Drmarc@bestweb.net>; Gus Dimopoulos <gd@dimolaw.com>; Carol Most <carolmost@cwmost.com>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Ruchama Cohen <rcohen@sffny.org>; Lisa Vara <lvaragulmez@sffny.org>; Michael Chiamonte <mc@dimolaw.com>
Cc: Irene Ratner <iratner@nycourts.gov>
Subject: 58217/2019 Kassenoff v Kassenoff

Counselors and Dr. Abrams,

All counselors, parties and Dr. Abrams shall virtually appear on Wednesday, March 3, 2021 from 11:00 a.m.- 12:00 p.m. to discuss the issues raised regarding the conduct of the supplemental forensic evaluation. This virtual hearing will be one hour, on record and under oath. There will be no adjournment absent good cause, and the hearing will start promptly at 11:00 a.m.

Below, please find the call-in number and Microsoft teams link for 58217/2019 Kassenoff v Kassenoff, scheduled for March 3, 2021 at 11:00 a.m.

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

+1 347-378-4143,,585250613# United States, New York City
(833) 262-7886,,585250613# United States (Toll-free)
Phone Conference ID: 585 250 613#

Maria Baratta
Assistant Law Clerk to the Hon. Nancy Quinn Koba
Westchester County Supreme Court
111 Dr. Martin Luther King Jr. Blvd
White Plains, NY 10601
914-824-5486
mbaratta@nycourts.gov

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NOTICE: COUNSEL ARE DIRECTED TO FORWARD ANY MICROSOFT TEAMS LINK TO ANY AND ALL PERSONS ENTITLED TO NOTICE. BE ADVISED, ALL PARTICIPANTS ARE TO **CONDUCT A TEST** 24 HOURS PRIOR TO SCHEDULED APPEARANCES. TO CONDUCT A TEST, MICROSOFT TEAMS MUST BE INSTALLED ON YOUR MACHINE. INSTRUCTIONS ON HOW TO DOWNLOAD MICROSOFT TEAMS AND CONDUCT A TEST ON YOUR MACHINE CAN BE FOUND AT:
<https://portal.nycourts.gov/knowledgebase/article/KA-01071/en-us>.

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Carol Most

From: Carlos Malave <supervisionservices@yahoo.com>
Sent: Friday, February 26, 2021 4:30 PM
To: Kassenoff, Allan (Shld-NY-IP-Tech); Gus Dimopoulos
Cc: marcia@marciakusnetzlaw.com; Carol Most
Subject: Re: Visits

Hi there did you receive the last batch of reports ?

Viola Varner
Director of Operations
Tel: 646-737-6866

Carlos Malave, MPA, LMSW
Executive Director
Tel: 917-293-1688

Please visit us at <http://www.supervisionservices.net>

Member of Supervised Visitation Network 

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On Friday, February 26, 2021, 04:17:36 PM EST, Gus Dimopoulos <gd@dimolaw.com> wrote:

Mr. Malave,

The drive is missing 1/15, 1/28, 1/29. Also please give us written reports for all dates on which visits occurred but recording didn't occur.

Thank you.

From: Carlos Malave <supervisionservices@yahoo.com>
Sent: Tuesday, February 23, 2021 8:31 AM
To: Gus Dimopoulos <gd@dimolaw.com>; Kassenoff, Allan (Shld-NY-IP-Tech) <KassenoffA@gtlaw.com>
Cc: marcia@marciakusnetzlaw.com; Carol Most <carolmost@cwmost.com>; Catherine Kassenoff <ckassenoff@yahoo.com>
Subject: Re: Visits

Good Morning, I touched base with the monitor to sort through the drive and the reports.

This is the updated list:

2/4/2021
2/5/2021
2/10/2021
2/11/2021
2/12/2021
2/18/2021
2/21/21
2/22/21

1/3/2021
1/4/2020
1/6/2021
1/7/2021
1/8/2021
1/10/2021
1/14/2021
1/15/2021
1/17/2021
1/20/2021
1/21/2021
1/22/2021
1/24/2021
1/28/2021
1/29/2021

Drive has been reviewed:

- There are two undated videos in the drive we are working on sorting that out. It may be Jan 15, 28, or 29
- 2/21/21 was unable to be recovered

Reports will be sent in a separate Email.

We have reached out to zoom and there is no way to get the videos back. We will try the cloud option as another alternative during the next visit. They also suggested as We have as well, for multiple parties to join and record as many things can happen during the converting process takes a few minutes and is not always successful. If anyone will join please let me know so that we may adjust the permissions for you to do so.

We hope this is helpful and we thank you for your understanding of these tech challenges.

Viola Varner

Director of Operations

Tel: 646-737-6866

Carlos Malave, MPA, LMSW

Executive Director

Tel: 917-293-1688

Please visit us at <http://www.supervisionservices.net>



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On Monday, February 22, 2021, 03:33:35 PM EST, Carlos Malave <supervisionservices@yahoo.com> wrote:

I'll chyme records for those videos

Tonight there's a call i will be on as a back up recording

Well also contact zoom about this issues

Sent from Yahoo Mail for iPhone

On Monday, February 22, 2021, 3:01 PM, Gus Dimopoulos <gd@dimolaw.com> wrote:

Ok, thanks – we are missing videos for:

1/7/2021
1/15/2021
1/19/2021
1/25/2021
1/27/2021
1/28/2021
1/29/2021
1/31/2021

Can you please upload asap? Also, currently, are there any calls scheduled?

Thank you.

From: Carlos Malave <supervisionservices@yahoo.com>
Sent: Monday, February 22, 2021 2:59 PM
To: Kassenoff, Allan (Shld-NY-IP-Tech) <KassenoffA@gtlaw.com>; Gus Dimopoulos <gd@dimolaw.com>
Cc: marcia@marciakusnetzlaw.com; Carol Most <carolmost@cwmost.com>; Catherine Kassenoff

THE LAW OFFICE OF MARCIA E. KUSNETZ, P.C.

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January 20, 2021

VIA NYSCEF & E-MAIL

Honorable Nancy Quinn-Koba, JSC
Supreme Court of the State of New York
County of Westchester
111 Dr. Martin Luther King, Jr. Blvd
White Plains, NY 10601
Att.: Maria Baratta, Esq.
Court Attorney Referee Irene Ratner

Re: Kassenoff v. Kassenoff, Index No. 58217-2019

Dear Judge Quinn-Koba:

We represent the Defendant Catherine Kassenoff, Mother of Ally, Charley and Jo Jo, primary caregiver to the children since birth, former Federal Prosecutor, and presently a counsel to the Governor. This counsel submitted on January 15, 2021, a letter to the Court requesting an emergency conference on the issue that the Mother is being deprived of all visits with the children through the end of the month, due to a Covid-19 diagnosis of the CFS supervisor, and asking that the Court's Order for supervision be lifted or modified. Instead of scheduling an emergency conference last Friday afternoon or this week, we received an email from Ms. Baratta stating that, pursuant to the Operational Rules of the Matrimonial Part, the custody issues, inclusive of those raised in the Mother's **January 5, 2021** letter for Rule E Authorization, and the emergency access issues raised in the **January 15, 2021** letter, would be heard by the Court Attorney Referee on **January 29, 2021**. It is clear that the loss of access issue is rendered moot by referring the issue to a conference at the end of the month. Does this Court deem the irretrievable loss of the Mother's parental access and the children's loss of precious time with their Mother, so unimportant that a conference could not be scheduled after its conference with Mr. Dimopoulos last Friday, or this week? The Mother has already lost approximately six weeks of access with the children due to Covid-19 quarantine issues, including the time lost because the Father and Nanny tested positive for Covid-19 and his refusal to agree to the resumption of visits after the quarantine ended, causing a longer interruption in Court Ordered access, without any consequence to his actions.

I note for the Court that the custody issues raised in the Mother's January 5 letter, and then in the January 15 letter, and requests for Rule E Authorization therein, relate to the modification of Orders of this Court and are, therefore, beyond the authority of a Court Attorney Referee to resolve. To that point, I refer Your Honor and Ms. Baratta to the Westchester Supreme Court Matrimonial Part Operational Rules, page 10, "E. Motions 1. The provision states that the Matrimonial Part Justice hears emergency applications without the need for a pre-motion

Kassenoff v. Kassenoff 1.20.21

conference before a Referee, and that a pre-motion conference before a Referee is not required where “the motion seeks to vacate or modify a recommended order.” So, too, D. par. 24, page 10 of the Rules, states that “Nothing contained herein shall preclude the assigned Matrimonial Part Justice from conducting conferences in any case pre-note of issue.”

Ms. Baratta also referred as an issue “for discussion” at the January 29 conference, Mr. Dimopoulos’ email sent to the Court on a Federal holiday in observance of the birthday of Dr. Martin Luther King, Jr., which contained false and prejudicial statements against the Mother, and is completely irrelevant to these proceedings. This is yet another example of the seemingly effective strategy by the Plaintiff and his counsel to deflect the Court’s focus from Plaintiff’s wrongdoing warranting redress. Plaintiff asserts inflammatory and false remarks against the Mother, which are clearly intended to cause bias of the Court against the Mother, to distract the Court from relevant issues. Mr. Dimopoulos’ email, improperly listing counsel from another matter before this Court, stated the following:

“Please see below e-mail from Jonathan Davidoff, the Defendant in Davidoff v. Davidoff, pending before Judge Koba. Mrs. Kassenoff is offering him transcripts from our court conferences- and he is asking that she share them. I do not believe Mr. Davidoff should have confidential transcripts with discussions about the Kassenoff children (and Mr. Kassenoff’s shareholder interest). I would ask you bring this to Judge Koba’s attention and put an end to it.”

The false and improper allegations against my client, intended to inflame and cause bias in this Court against Defendant, have no relevance or evidentiary value in these proceedings, yet were designated as a topic of discussion, among the myriad important issues concerning the Plaintiff’s violation of Court Orders, including custody and discovery Orders, at the upcoming conference on the 29th. We object.

Mr. Dimopoulos, through his recent email communication to the Court, has violated The Rules of Professional Conduct, Part 1200, Rules 3.1 (b) (2) (3) Non-Meritorious Claims and Contentions, Rule 3.3 (a) (1) (3) Conduct before a Tribunal, Rule 3.4 (d) 1 Fairness to Opposing Party and Counsel, and Rule 4.1 Truthfulness in Statements to Others, Rule 8.4 Misconduct.

I am notified that Mr. Dimopoulos’ statement that my client is offering to share matrimonial transcripts with Mr. Davidoff, **is false**. After Mr. Dimopoulos improperly included me on an email with attorneys in the unrelated Davidoff case before Your Honor, I responded to him, yesterday, not to do it again, and I asked him to recant his false statement to the Court in the email referred to above. Opposing counsel has not recanted his false statement to the Court. Mr. Dimopoulos should be directed by the Court never to include an unrelated non-party in any correspondence to this Court in this matter, nor to refer to any unrelated case or non-party. It is completely improper pursuant to the Rules of Professional Conduct, and in committed in bad faith.

Just as Plaintiff and his counsel thought they would get away with providing overtly improper information to Dr. Abrams, clearly intended to taint the neutrality of the forensic and

create bias against her, they have just committed the same wrongful act with Your Honor. Mr. Dimopoulos' misrepresentation to the Court was clearly intended to cause bias of this Court against our client, and to unduly prejudice the Defendant in these proceedings. There is no relevance of the information imparted to the Court by opposing counsel, it is false, and the innuendo is unduly prejudicial to our client. Mr. Dimopoulos wants this Court to believe that Catherine is part of a coalition of litigants who have cases before Your Honor, to damage the reputation of the Court, or who orchestrate actions taken against their spouses; such as the completely false accusation by Mr. Dimopoulos that my client colluded with Mr. Davidoff in having a CPS complaint made against Mr. Kassenoff. For that false accusation, Mr. Dimopoulos should have been reprimanded by this Court and financial sanctions imposed for his misconduct. What has "to stop" here is Mr. Dimopoulos' continued violation of the Professional Rules of Conduct and false statements to this Court concerning an imagined conspiracy of my client and Mr. Davidoff to defeat their respective spouses in illegal ways, or as somehow working against this Court. No factual basis for the attack against my client exists, and it has worked to have this Court view my client in a bad light, or certainly to incur the Court's ire against her. Why else make Mr. Dimopoulos' frivolous attack a topic for discussion at the next Court conference?

Prior to my entry in this case, Mr. Dimopoulos made false remarks in a letter to the Court, dated November 12, 2020, appended hereto, stating that Mr. Davidoff is my client's "unofficial pro bono attorney," and improperly quoted comments made by Mr. Davidoff to Mr. Dimopoulos, the litigant in another case before this Court, having nothing to do with case. Any remarks made on the record in this matter concerning a litigant in a different matter are, by definition, improper *ex parte* communications with the Court. The same goes for any remarks made by Mr. Dimopoulos against my client in the Davidoff matter. Mr. Davidoff had no opportunity to counter the attack upon him in Mr. Dimopoulos' correspondence to the Court in this action. Now, Mr. Dimopoulos alleges, without any proof or basis in fact, that my client offered to Mr. Davidoff transcripts of these Court proceedings, inclusive of Mr. Dimopoulos' false statements on the record. The only purpose of Mr. Dimopoulos' email on January 18, 2021, was to distract the Court from our January 15, 2021 request for emergency relief regarding the loss of the Mother's parental access, which emergency relief was denied by this Court, a day later. I also find it interesting that, without prior approval of the Court, Mr. Dimopoulos sent the transcribed remarks of the Court appointed neutral financial evaluator, Mr. DeMarco, stated in response to the Court's questions, to a non-party. Opposing counsel responded to my objection that he was entitled to do so, as Courts are open to the public and nothing was sealed.

I learned, yesterday that Mr. Dimopoulos, without explanation of any relevance to the custody issues in this case, had previously submitted documents to Dr. Abrams prior to the July 2020 interim custody trial, about Mr. Davidoff and his children. That is a violation of the rights of that litigant and those children. How was that permitted? Had Mr. Kassenoff furthered the conspiracy theory of my client and Mr. Davidoff in his interview with Dr. Abrams, to the undue prejudice of our client? It is the Plaintiff and his counsel who must be held accountable for their actions to cause bias against the Defendant in this action, which actions provably reached Dr.

Kassenoff v. Kassenoff 1.20.21

Abrams, and now this Court. I note that opposing counsel sent the appended November 12, 2020 letter to Dr. Abrams, which the Court told Dr. Abrams not to read. If Mr. Dimopoulos does not formally recant his false allegation to the Court in the January 18, 2021 email, we are asking to file an Order to Show Cause for his violation of the Rules of Professional Conduct, dissemination of false and unduly prejudicial material concerning our client, and for financial sanctions to be imposed against opposing counsel and his client.

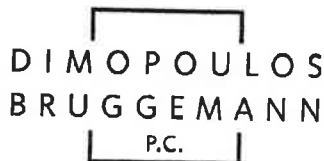
This letter shall constitute notice that Defendant is seeking Rule E Authorization to bring an Order to Show Cause finding the Plaintiff and his counsel in contempt of the Court's discovery directives at the Trial Ready Conference, and to compel compliance, or to preclude. A Trial Ready Order cannot be issued due to the Plaintiff's blatant refusal not to comply with the Court's discovery directives. The Plaintiff's violation of the Court's discovery directives was set forth in our letter to the Court, dated January 6, 2021. Mr. Dimopoulos was asked by Referee Ratner to respond to our letter, and the extent of that response was an email by opposing counsel stating that he had no intention of complying with the Court's directives. Thus, no deposition of the Plaintiff was held, as no documents were produced, even as specifically directed by the Court at the Trial Ready Conference, and no formal response to our Notice of Deficiency was filed by Plaintiff, although directed to do so by the Court.

Thanking Your Honor for your attention to this matter. We are available for a conference this week.

Respectfully,


Marcia E. Kusnetz, Esq.

cc: Gus Dimopoulos, Esq.
Carol Most, Esq.
Lisa Vara, Esq.
Ruchama Cohen, Esq.
Diane Steiner, Esq.
Catherine Kassenoff



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November 12, 2020

VIA NYSCEF

Hon. Nancy Quinn Koba
Supreme Court of the State of New York
County of Westchester
111 Dr. Martin Luther King Jr. Blvd.
White Plains, NY 10601

Re: Kassenoff v. Kassenoff
Index No.: 58217/2019

Dear Judge Koba:

I write in response to Ms. Spielberg's letter to the Court objecting to this Court ordering an updated forensic evaluation by Dr. Abrams.

Sadly, I am not surprised at all. If the Court recalls – I predicted this during a conference. Unfortunately, if you hang around the matrimonial part long enough, you will have seen everything. You see how far attorneys are willing to go, and you see the minds of litigants with true mental illness – and their attempts to concoct “interesting” ways to *win* – with the best interest of the children the last thing on their minds.

Like so many litigants before her, the mother is following a playbook that I have repeatedly seen over the years. First, you attack your spouse (as she did by filing a grievance, writing to Greenberg Traurig, and attempting to have him arrested by leaning on her friend, Detective Pompilio, with 50 + phone calls). Second, they attack opposing counsel. I have received countless threatening emails from the mother – and her unofficial pro bono attorney, Mr. Davidoff, who recently wrote me an email (copying the mother as well as the Sanctuary for Families attorneys) that “pigs get slaughtered, and you are like a baby back rib!”¹ The mother herself has threatened me with sanctions, and asked me how I intend to answer criminal charges. Third, they attack the AFC – which the mother has done on so many occasions (calls of bias, lack of ethics, refusal to pay, etc.). Fourth, they attack the forensic evaluator with anything they can conjure. I have seen this before so many times – they write letters to the licensing board, post bad reviews online – anything to lash out, destroy.

¹ Not to mention Mr. Mancebo, another litigant in this Court, who Ms. Kassenoff and Mr. Davidoff recently enlisted to file a grievance against me on frivolous grounds.

Hon. Nancy Quinn Koba
November 12, 2020
Kassenoff v. Kassenoff
Page | 2

There is one final step to the playbook – and that is to implicitly threaten the judge. There is a reason that the mother has repeatedly reminded us all that she works for (and closely with) Governor Cuomo. In fact, Ms. Spielberg (no doubt at the mother's insistence) refers to the mother as a "high-level lawyer for Governor Cuomo since 2015" in her letter seeking to disqualify Dr. Abrams. After all, the judge is the only one who can make a final determination – so these litigants, through their actions in the first four steps, hint to the court – "you are next." The assumption, of course, is that a judge will cower, and disregard his or her oath to protect the best interests of the children, because a disgruntled litigant may cause issues. The irony, sliceable with a knife, is that through all of her conduct (including this most recent attack), the mother is only confirming Dr. Abrams' diagnosis of a personality disorder, i.e., the world at large is to blame for the mother's plight – it is never her own fault. Moreover, we now know why he concluded that the type of disorder that the mother suffers from comes with *sadistic* traits.

Turning to Dr. Abrams' posts – I echo Ms. Most's sentiment exactly. Dr. Abrams appears to have strong political beliefs. Those beliefs are protected by the First Amendment to the United States Constitution. As a private citizen, he is free to voice those beliefs. As Ms. Most said, most of the comments were taken out of context, and in fact, the comment regarding the female genitalia was a criticism of President Trump's comments during his candidacy. Moreover, his use of the word *retard* was a criticism of someone else's use of the term. His use of the word "whore" is a reference to conservatives' cozy relationship with the NRA and voices Dr. Abrams' clear concern for victims of violence. And since when does the term "whore" only refer to women? The mother is well suited to check Meriam Webster, which gives the following additional definitions: "a male who engages in sexual acts for money," or "a venal or unscrupulous person." We all know that in the political arena, the word is often hurled at politicians who accept campaign contributions from organizations solely to further that organization's wishes – for better or for worse. Lastly, to call Dr. Abrams' a misogynist when it is clear how passionately he feels about women's reproductive rights is just laughable.

To use a reference to politics, apropos under the circumstances, Ms. Spielberg's letter is nothing more than a hit job. It is truly sad and reprehensible. The only question that remains is -- what more does the mother have to do for there to be consequences? 22 NYCRR § 130-1.1 defines frivolous conduct as:

- (c) For purposes of this Part, conduct is frivolous if:
 - (1) it is completely without merit in law and cannot be supported by a reasonable argument for an extension, modification or reversal of existing law;
 - (2) it is undertaken primarily to delay or prolong the resolution of the litigation, or to harass or maliciously injure another; or
 - (3) it asserts material factual statements that are false.

Hon. Nancy Quinn Koba
November 12, 2020
Kassenoff v. Kassenoff
Page | 3

The Statute does not require a motion, and sanctions may be awarded on the Court's own initiative. I have expended a total of 1.5 hours in reviewing Ms. Spielberg's letter, reviewing Ms. Most's response, and drafting this letter. My hourly rate in this matter is \$600, therefore, my client has been billed \$900 because of this deplorable conduct. I request that this Court issue sanctions against the Defendant and compel her to pay Mr. Kassenoff the sum of \$900. The purpose is to send her a message that future frivolous conduct will not be tolerated.

Respectfully yours,
DIMOPOULOS BRUGGEMANN P.C.



By: _____
Gus Dimopoulos

Cc: Jill Spielberg, Esq. (via e-mail)
Diane Steiner, Esq. (via e-mail)
Ruchama Cohen, Esq. (via e-mail)
Lisa Vara, Esq. (via e-mail)
Carol Most, Esq. (via e-mail)
Allan Kassenoff (via e-mail)

Carol Most

From: Gus Dimopoulos <gd@dimolaw.com>
Sent: Monday, February 1, 2021 12:54 PM
To: Marcia Kusnetz
Cc: Lisa Vara; Carol Most; Michael Chiaramonte; Irene Ratner; Maria Baratta
Subject: Education Lawyer - Kassenoff

Ms. Baratta and Referee Ratner:

Mr. Kassenoff recommends Barbara Ebenstein, Esq. She has plenty of experience and is located in New Rochelle which is beneficial for a variety of reasons. <http://www.barbaraebenstein.com/contact.html>. Frankly, because he has temporary sole custody, Mr. Kassenoff really should be permitted to make this decision after consultation.

Gus Dimopoulos
Managing Partner
gd@dimolaw.com | Office: 914-472-4242 – Cell: 917-648-1184

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3

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February 1, 2021

VIA NYSCEF & E-MAIL

Honorable Nancy Quinn-Koba, JSC
Supreme Court of the State of New York
County of Westchester
111 Dr. Martin Luther King, Jr. Blvd
White Plains, NY 10601
Att.: Maria Baratta, Esq.
Court Attorney Referee Irene Ratner

Re: Kassenoff v. Kassenoff, Index No. 58217-2019

Dear Judge Quinn-Koba:

We represent the Defendant Catherine Kassenoff. We propose the names of two education attorneys, as follows:

Erica Fitzgerald, Esq. of Fitzgerald & Sadove, PLLC.
Rachel Asher, Esq. of Asher & Gaughran, PC.

The attorneys' experience and contact information are appended.

Your Honor, we are asking that the transcripts of the last two conferences be ordered, and that the Plaintiff pay for same, subject to reallocation at a trial.

Thanking Your Honor for your consideration.

Respectfully,

Marcia E. Kusnetz, Esq.



cc: Gus Dimopoulos, Esq.
Carol Most, Esq.
Lisa Vara, Esq.
Ruchama Cohen, Esq.
Diane Steiner, Esq.
Catherine Kassenoff

ASHER GAUGHRAN P.C.

(<https://ashergaughran.com>)



Home (<https://ashergaughran.com/>) » **Rachel Asher**



Rachel Asher

Ms. Asher's law practice is devoted to special education advocacy, student disciplinary matters, mental health advocacy, and to federal and state civil rights litigation arising from the abuse and neglect of children in institutional settings.

Ms. Asher earned her Juris Doctor in 1989 from Rutgers School of Law-Newark, where she was an editor of the Women's Rights Law Reporter and a founding member of the school's public interest law foundation. She graduated from the University of Michigan-Ann Arbor with a B.A. in Philosophy. During her twelve-year tenure as a staff attorney in the Civil Division of New York City's Legal Aid Society, she concentrated on federal and state entitlement proceedings and litigation, and on the rights of public-assistance recipients to pursue training and educational opportunities. Ms. Asher began practicing in the field of education law in 1999 and founded the firm with Julie Gaughran in 2006.

Ms. Asher is admitted to practice in New York and New Jersey and is a member of the Bars of the U.S. District Courts for the Southern and Eastern Districts of New York. She is also a member of the Council of Parent Attorneys and Advocates.

Contact Rachel Asher by email (<mailto:asher@ashergaughran.com>) or call 914. 273.3187 (tel:914. 273.3187)

ASHER GAUGHRAN P.C.

(<https://ashergaughran.com>)



Home (<https://ashergaughran.com/>) » **Julie Gaughran**



Ms. Gaughran represents students in matters ranging from tuition reimbursement claims to defending students of all ages in school disciplinary matters. She has successfully vindicated the rights of abused students in federal court. In addition, Ms. Gaughran has extensive experience in obtaining testing accommodations for students on exams such as the SAT, ACT, GRE, LSAT, USMLE and MCAT, and has obtained accommodations for graduate and medical students. Ms. Gaughran graduated *magna cum laude* from Brown University and earned her Juris Doctor from Columbia University School of Law, where she was a Harlan Fiske Stone Scholar. Following law school, she clerked for Senior United States District Judge Whitman Knapp in the Southern District of New York.

Ms. Gaughran has represented parents and students in special education and civil rights matters since 1998 and founded the firm with Rachel Asher in 2006.

Ms. Gaughran is admitted to practice in New York and is a member of the bars of the U.S. District Courts for the Southern and Eastern Districts of New York. She is a member of the Council of Parent Attorneys and Advocates and the New York City Bar Association.

Contact Julie Gaughran by email (<mailto:gaughran@ashergaughran.com>) or call 914.273.3187 (<http://914.273.3187>) to set up an appointment.

Who We Are



(<https://ashergaughran.com/rachel-asher/>)

Rachel Asher

(<https://ashergaughran.com/rachel-asher/>)

Ms. Asher's law practice is devoted to special education advocacy, student disciplinary matters, mental health advocacy, and to federal and state civil rights litigation arising from the abuse and neglect of children in institutional settings.


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Where We Work (<https://ashergaughran.com/where-we-work/>)

We have successfully negotiated, advocated, litigated and settled cases in virtually every school district in Westchester County and frequently represent...

Read More (<https://ashergaughran.com/where-we-work/>)

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(<https://goo.gl/maps/FKV98KUYx1KnZaMP8>)

Website by Solutions for Growth (<https://solutionsforgrowthllc.com/>)



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Erica M. Fitzgerald, Esq. is a founding Partner of Fitzgerald & Sadove PLLC. Practicing law for over twenty years, she focuses her practice on the areas of special education advocacy, guardianship, estate planning, public benefits advocacy and special needs planning.

Ms. Fitzgerald has successfully advocated in impartial hearings, state review proceedings and in state and federal courts for children with special needs who have been denied a free and appropriate public education. She works collaboratively with clients and school districts to obtain appropriate IEPs and accommodations under Section 504.

As a mother of a child with Diabetes, Ms. Fitzgerald devotes a large part of her practice to assisting parents of students diagnosed with Diabetes to obtain appropriate services. She frequently presents workshops to parents of students requiring Section 504 Accommodation Plans and Individualized Education Programs.

Ms. Fitzgerald also served as an Assistant District Attorney for the Bronx County District Attorney's Office. She served as an intern at the Social Security Administration and worked as an Activities Director at Astor Gardens Nursing Home in the Bronx.

Ms. Fitzgerald received her J.D. from Fordham University School of Law. She received her undergraduate degree from Fordham University and also earned a certificate from the New Directions for Attorneys Program from Pace Law School. Ms. Fitzgerald is a member of the New York State Bar Association (NYSBA), Elder Law and Trusts & Estates Sections of NYSBA, and the Westchester Women's Bar Association. She is admitted to the U.S. District Court for the Southern District of New York and the Second Circuit Court of Appeals.

4

Carol Most

From: Carol Most
Sent: Monday, February 1, 2021 2:36 PM
To: Maria Baratta; Irene Ratner; Marcia Kusnetz; Gus Dimopoulos
Cc: Lisa Vara; Ruchama Cohen; Diane Steiner; Michael Chiaramonte
Subject: RE: Kassenoff v. Kassenoff 58217/2019

Ms Baratta: I believe that Dr. Kuhl will be sending her report on my client Charlotte Kassenoff to the court in a few days. I ask that the court require counsel to submit Affirmations prior to receipt of same with the same rules as the forensic report.

Thankyou,
Carol Most

Carol W. Most
Most & Schneid, P.C.
White Plains Office:
222 Bloomingdale Road, Suite 302
White Plains, NY 10605
Tel: 914.997.9181
Fax: 914.997.9180

Garden City Office:
666 Old Country Road, Suite 304
Garden City, NY 11530
Tel: 516.453.9000
Fax: 914.997.9180

Super Lawyers



5

Carol Most

From: Carlos Malave <supervisionservices@yahoo.com>
Sent: Monday, February 1, 2021 4:33 PM
To: ckassenoff@yahoo.com; KassenoffA@gtlaw.com
Cc: marcia@marciakusnetzlaw.com; gd@dimolaw.com; Carol Most
Subject: Re: Visits

Please be advised that we are set to resume Wednesday.

Thank you

Sent from Yahoo Mail for iPhone

On Saturday, January 30, 2021, 1:05 PM, Carlos Malave <supervisionservices@yahoo.com> wrote:

Good Afternoon,

Mother informed us no video visit with us tomorrow as she has in person.

Please keep us posted on when to resume.

Sent from Yahoo Mail for iPhone

On Thursday, January 28, 2021, 7:05 AM, Carlos Malave <supervisionservices@yahoo.com> wrote:

Good Morning All

Visits are all set to resume for today and tomorrow

Sent from Yahoo Mail for iPhone

On Monday, January 25, 2021, 12:34 PM, Carlos Malave <supervisionservices@yahoo.com> wrote:

Good Afternoon, Visits are on hold as mother is unable to pay. She is asking if father is willing to pay for any of the visits. Please advise otherwise she will keep us posted on when to resume

Viola Varner
Director of Operations
Tel: 646-737-6866

Carlos Malave, MPA, LMSW
Executive Director
Tel: 917-293-1688

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On Sunday, January 24, 2021, 07:06:42 PM EST,
<kassenoffa@gtlaw.com> wrote:

Why don't i tie them up and handcuff them to the couch as well.

On Jan 24, 2021, at 7:05 PM, catherine kassenoff
<ckassenoff@yahoo.com> wrote:

You are supposed to be holding the electronics. You don't do that. Here's the idea: you take the ipad and hold it. You take the phones and hold them. You take the TV remotes and hold them. In fact, I used to do this for you all the time because - if you knew anything about kids - you would know that they have a hard time putting electronics away.

On Sunday, January 24, 2021, 07:01:48 PM EST,
<kassenoffa@gtlaw.com> wrote:

All,

None of the kids had their phones or iPad during the call (which always takes place in the living room). Jojo went upstairs during the call for some unknown reason. Apparently she put on the tv upstairs. I was neither upstairs nor in the living room during the call - I was in the kitchen making dinner. It is not my fault that the kids are not that interested in the call. I have nothing to do with the call and make sure to disappear lest there be complaints of lack of privacy.

On Jan 24, 2021, at 6:57 PM, catherine kassenoff <ckassenoff@yahoo.com> wrote:

EXTERNAL TO GT

I don't understand how you can flout the rules like this, Allan. You know what the court said about electronics but you ignore it. As the zoom recording will show, once again you have the TV on and JoJo had her iPad. I wonder - do you turn the TV on right before the call? It is heartbreaking that I have 15 minutes for 3 children, for which I pay \$50. Your message to me - and to them - is so obvious.

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com, and do not use or disseminate the information.

6

Carol Most

From: KassenoffA@gtlaw.com
Sent: Tuesday, February 2, 2021 5:31 PM
To: gd@dimolaw.com; Carol Most
Subject: Fwd: Visit cancellation

Begin forwarded message:

From: Chava White <cwhite@cfs-nyc.com>
Date: February 2, 2021 at 5:29:54 PM EST
To: "Kassenoff, Allan (Shld-NY-IP-Tech)" <KassenoffA@gtlaw.com>
Subject: Re: Visit cancellation

I called, texted, and emailed but didn't get a response yet. I'm sure she'll be disappointed as she had plans for snow fun. This was entirely unanticipated though and unfortunately not in my control.

Chava White, LMSW
Forensic Social Worker
Comprehensive Family Services
Office: 212-267-2670
Cell: 516-350-8552

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On Feb 2, 2021, at 4:57 PM, KassenoffA@gtlaw.com wrote:

Does Catherine know? How did she take it?

Allan Kassenoff
Shareholder

Greenberg Traurig, LLP
MetLife Building | 200 Park Avenue | New York, NY 10166
T +1 212.801.2157 | F +1 212.805.9407 | C +1 917.623.8353

KassenoffA@gtlaw.com | www.gtlaw.com

-----Original Message-----

From: Chava White <cwhite@cfs-nyc.com>

Sent: Tuesday, February 2, 2021 4:55 PM

To: Kassenoff, Allan (Shld-NY-IP-Tech) <KassenoffA@gtlaw.com>

Subject: Visit cancellation

EXTERNAL TO GT

I'm sorry but I have to cancel the visit this evening. I noticed a small crack in my windshield when I started driving and after 20 minutes the crack is almost entirely across my windshield. I don't think it's safe to drive and by the time I go home and switch cars it would be too late.

Chava White, LMSW
Forensic Social Worker
Comprehensive Family Services
Office: 212-267-2670
Cell: 516-350-8552

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If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com, and do not use or disseminate the information.

Carol Most

From: Gus Dimopoulos <gd@dimolaw.com>
Sent: Tuesday, February 2, 2021 8:21 PM
To: Marcia Kusnetz
Cc: Lisa Vara; Carol Most; Michael Chiaramonte
Subject: Kassenoff

Marcia,

We hope you were serious about sending us a settlement proposal. When do you think you'll have one ready?

<p>Gus Dimopoulos Managing Partner 914-472-4242 gd@dimolaw.com www.dimolaw.com 73 Main Street, Tuckahoe, NY 10707</p>	<p>DIMOPOULOS BRUGGEMANN P.C.</p>	
--	---	--

8

**SUPREME COURT FOR THE STATE OF NEW YORK
COUNTY OF WESTCHESTER**

ALLAN KASSENOFF,	
	Plaintiff,
-against-	
CATHERINE KASSENOFF,	
	Defendant.

Index No. 58217/2019


**NOTICE OF
SETTLEMENT**

PLEASE TAKE NOTICE, that the annexed proposed Orders of which the within are true copie, will be presented for signature to Hon. Nancy Q. Koba, one of the Justice of the Supreme Court of the State of New York, County of Westchester, 111 Dr. Martin Luther King Jr. Blvd, White Plains, New York, NY 10601 on February 11, 2020.

Dated: Tuckahoe, New York
February 2, 2021

Yours, etc.

DIMOPOULOS BRUGGEMANN P.C.

By: 

Michael Chiaramonte, Esq.
73 Main Street
Tuckahoe, New York 10707
(914) 472-4242
Attorney for Plaintiff

To: All counsel of Record via NYSCEF

**SUPREME COURT FOR THE STATE OF NEW YORK
COUNTY OF WESTCHESTER**

ALLAN KASSENOFF,

Plaintiff,

-against-

CATHERINE KASSENOFF,

Defendant.

Index No. 58217/2019

ORDER

KOBA, J.

WHEREAS, the parties having placed in issue the custody and visitation with the minor children of the marriage; and

WHEREAS, Plaintiff was previously directed to forward to Defendant all school notices sent to Josephina's Google Classroom account; and

NOW THEREFORE, it is hereby

ORDERED that Plaintiff shall provide the username and password to access Josephina's Google Classroom account which shall alleviate Plaintiff's obligation to send any school notices to Defendant; and it is further

ORDERED that neither party shall make any changes to Josephina's Google Classroom username or password without the consent of the other party. Defendant shall not use her access to Josephina's Google Classroom account as a means of communicating with any of the three Kassenoff children.

The foregoing constitutes an Order of this Court.

Dated: February __, 2021
White Plains, New York

SO ORDERED:

Hon. Nancy Q. Koba, J.S.C.

**SUPREME COURT FOR THE STATE OF NEW YORK
COUNTY OF WESTCHESTER**

ALLAN KASSENOFF,

Plaintiff,

-against-

CATHERINE KASSENOFF,

Defendant.

Index No. 58217/2019

ORDER

KOBA, J.

WHEREAS, the parties having placed in issue the custody and visitation with the minor children of the marriage; and

WHEREAS, this Court previously directed the Defendant to provide the Plaintiff with a copy of the financial aid application submitted to the French American School of New York (“FASNY”) for the 2020-2021 school year; and

WHEREAS, the Defendant now claims that she never submitted a financial aid application for the 2020-2021 school year;

WHEREAS, the Plaintiff called FASNY yesterday (February 1, 2021) and was told that the Defendant had in fact submitted a financial aid application for the 2020-2021 school year and stated (again) that FASNY would not share that application with the Plaintiff as it was the property of the Defendant; and

NOW THEREFORE, it is hereby

ORDERED that the French American School of New York is hereby directed to provide the Plaintiff-Father with copies of any and all application(s) for financial aid submitted (or similar

applications for the reduction of tuition) made by the Defendant or on behalf of the Defendant (including all documentation and/or materials submitted to FASNY in support of said application(s)), pertinent to Charlotte Kassenoff, together with any and all correspondence Defendant received from FASNY; and it is further

The foregoing constitutes an Order of this Court.

Dated: February __, 2021
White Plains, New York

SO ORDERED:

Hon. Nancy Q. Koba, J.S.C.

9

Carol Most

From: Lisa Vara <lvaragulmez@sffny.org>
Sent: Wednesday, February 3, 2021 9:51 AM
To: Maria Baratta; Irene Ratner
Cc: Gus Dimopoulos; Carol Most; Ruchama Cohen; Marcia Kusnetz; Diane Steiner
Subject: Kassenoff v. Kassenoff Index No 58217/2019
Attachments: 58217_2019_ALLAN_KASSENOFF_et_al_v_CATHERINE_KASSENOFF_AFFIDAVIT_1154.pdf;
 58217_2019_ALLAN_KASSENOFF_et_al_v_CATHERINE_KASSENOFF_EXHIBIT_S_1155.pdf;
 58217_2019_ALLAN_KASSENOFF_et_al_v_CATHERINE_KASSENOFF_EXHIBIT_S_1156.pdf;
 58217_2019_ALLAN_KASSENOFF_et_al_v_CATHERINE_KASSENOFF_EXHIBIT_S_1157.pdf;
 58217_2019_ALLAN_KASSENOFF_et_al_v_CATHERINE_KASSENOFF_EXHIBIT_S_1158.pdf;
 58217_2019_ALLAN_KASSENOFF_et_al_v_CATHERINE_KASSENOFF_EXHIBIT_S_1159.pdf

Dear Ms. Baratta and Referee Ratner,

Please see attached Affidavit from Ms. Kassenoff and accompanying exhibits uploaded to NYSCEF.

Thank you,

--

OUR PHONE EXTENSIONS HAVE CHANGED. PLEASE NOTE MY NEW EXTENSION BELOW.

Lisa S. Vara, Esq.
 Director, Matrimonial/Economic Justice Project

Sanctuary for Families, Inc.
 Center for Battered Women's Legal Services
 30 Wall Street, 8th Floor
 New York, NY 10005

T: 212-349-6009 x1347
 F: 212-566-0344

[Facebook](#) | [Twitter](#)
sanctuaryforfamilies.org



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Carol Most

From: Carol Most
Sent: Wednesday, February 3, 2021 11:34 AM
To: Irene Ratner; Gus Dimopoulos; Marcia Kusnetz
Cc: Michael Chiaramonte; Ruchama Cohen; Lisa Vara; Diane Steiner

Dear Ms. Ratner:

My two proposal for education lawyers are :

Law Offices of Neal Rosenberg
Neal Rosenberg, Esq.
212- 732-9450

Mayerson& Associates
Gary Mayerson, Esq.
212-265-7200

Kule-Korgood & Associates, P.C.
Michelle Kule Korgood. Esq.
718-261-0181

Any attorney would have to interview parties and review documentation before deciding to take the case.

Respectfully submitted,
Carol Most

Carol W. Most
Most & Schneid, P.C.
White Plains Office:
222 Bloomingdale Road, Suite 302
White Plains, NY 10605
Tel: 914.997.9181
Fax: 914.997.9180

Garden City Office:
666 Old Country Road, Suite 304
Garden City, NY 11530
Tel: 516.453.9000
Fax: 914.997.9180



11

**Supreme Court of the State of New York
Appellate Division: Second Judicial Department**

M275408

E/sl

MARK C. DILLON, J.P.
COLLEEN D. DUFFY
HECTOR D. LASALLE
PAUL WOOTEN, JJ.

2020-06860

DECISION & ORDER ON MOTION

Allan Kassenoff, respondent,
v Catherine Kassenoff, appellant.

(Index No. 58217/2019)

2020-09536, 2020-09537,
2020-09538, 2020-09558

Allan Kassenoff, plaintiff,
v Catherine Kassenoff, defendant.

(Index No. 58217/2019)

Motion by the appellant, inter alia, for leave to appeal to this Court from four orders of the Supreme Court, Westchester County, dated October 29, 2020, November 19, 2020 (two orders), and December 3, 2020, respectively, to stay enforcement of an order of the same court dated August 17, 2020, to reinstate a certain custody order or allow her to have certain unsupervised parental access pending hearing and determination of the appeal from the order dated August 17, 2020, to direct the respondent to pay for supervised visitation between her and the subject children if the supervised visitation continues, to stay all proceedings in the above-entitled action pending hearing and determination of the appeal from the order dated December 3, 2020, to stay enforcement of the order November 19, 2020, that reappointed a forensic evaluator to provide a supplemental report pending hearing and determination of the appeal or to appoint a new forensic evaluator, to stay the Supreme Court, Westchester County, from enforcing certain court rules that preclude her from making certain motions, and to direct that she be given residential custody of the children for a certain period of time.

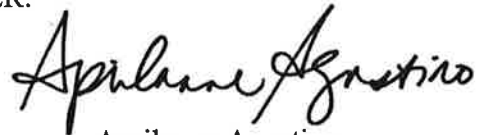
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the branch of the motion which is for leave to appeal is denied; and it is further,

ORDERED that the motion is otherwise denied.

DILLON, J.P., DUFFY, LASALLE and WOOTEN, JJ., concur.

ENTER:

A handwritten signature in black ink that reads "Aprilanne Agostino". The signature is written in a cursive, flowing style.

Aprilanne Agostino
Clerk of the Court

Carol Most

12

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Wednesday, February 3, 2021 2:13 PM
To: Carol Most; Maria Baratta
Cc: Gus Dimopoulos; Ruchama Cohen; Lisa Vara; Diane Steiner; Robert Spolzino
Subject: Re: Appellate Division Order

Dear Ms. Baratta, Ms. Most is not correct. This Decision and Order does not concern the present interim stay granted by the Appellate Division based upon Plaintiff's prejudicial submissions to the forensic causing taint. Respectfully,
Marcia E. Kusnetz

From: Carol Most <carolmost@cwmost.com>
Sent: Wednesday, February 3, 2021 1:57 PM
To: Maria Baratta <mbaratta@nycourts.gov>
Cc: Gus Dimopoulos <gd@dimolaw.com>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Ruchama Cohen <rcohen@sffny.org>; Lisa Vara <lvaragulmez@sffny.org>; Diane Steiner <dsteiner@sffny.org>; Michael Chiamonte <mc@dimolaw.com>
Subject: FW: Appellate Division Order

Dear Ms. Baratta: I am attaching the decision from the Appellate Dept. regarding the stay.

Carol W. Most
Most & Schneid, P.C.
White Plains Office:
222 Bloomingdale Road, Suite 302
White Plains, NY 10605
Tel: 914.997.9181
Fax: 914.997.9180

Garden City Office:
666 Old Country Road, Suite 304
Garden City, NY 11530
Tel: 516.453.9000
Fax: 914.997.9180



Supreme Court of the State of New York
Appellate Division: Second Judicial Department

M275409
E/sl

MARK C. DILLON, J.P.
COLLEEN D. DUFFY
HECTOR D. LASALLE
PAUL WOOTEN, JJ.

2021-00098

DECISION & ORDER ON MOTION

Allan Kassenoff, plaintiff,
v Catherine Kassenoff, defendant.

(Index No. 58217/2019)

Appeal from an order of the Supreme Court, Westchester County, dated January 5, 2021. Motion by the appellant, inter alia, for leave to appeal to this Court from the order dated January 5, 2021, to stay enforcement of an order of the Supreme Court, Westchester County, dated November 19, 2020, which reappointed a forensic evaluator to provide a supplemental report, pending hearing and determination of the appeal.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

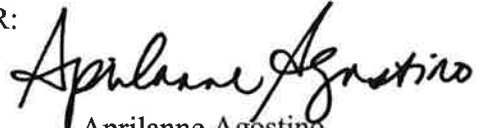
ORDERED that the branch of the motion which is for leave to appeal is denied; and it is further,

ORDERED that the appeal from the order dated January 5, 2021, purportedly taken as of right is dismissed, without costs or disbursements; and it is further,

ORDERED that the motion is otherwise denied as academic.

DILLON, J.P., DUFFY, LASALLE and WOOTEN, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

February 3, 2021

L24

Carol Most

From: Carlos Malave <supervisionservices@yahoo.com>
Sent: Wednesday, February 3, 2021 7:02 PM
To: KassenoffA@gtlaw.com
Cc: ckassenoff@yahoo.com; gd@dimolaw.com; Carol Most; marcia@marciakusnetzlaw.com
Subject: Re: Call?

The monitor has been on since I contacted you all by this email - not sure of mom was available to log back on - if anything we will resume tomorrow

We truly apologize for the tech issues

Viola Varner
Director of Operations
Tel: 646-737-6866

Carlos Malave, MPA, LMSW
Executive Director
Tel: 917-293-1688

Please visit us at <http://www.supervisionservices.net>

Member of Supervised Visitation Network



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On Wednesday, February 3, 2021, 06:58:07 PM EST, <kassenoffa@gtlaw.com> wrote:

Is the call happening? It is now nearly 7 pm

On Feb 3, 2021, at 6:49 PM, Carlos Malave <supervisionservices@yahoo.com> wrote:

We apologize for the delay it was on our end. technical issues

Is everyone able to log on now ?

Viola Varner
Director of Operations
Tel: 646-737-6866

Carlos Malave, MPA, LMSW
Executive Director
Tel: 917-293-1688

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On Wednesday, February 3, 2021, 06:48:40 PM EST, <kassenoffa@gtlaw.com> wrote:

The kids have been waiting since 6:30. What is going on?

On Jan 24, 2021, at 6:38 PM, Carlos Malave <supervisionservices@yahoo.com> wrote:

All set

Sent from Yahoo Mail for iPhone

On Sunday, January 24, 2021, 6:38 PM, Carlos Malave <supervisionservices@yahoo.com> wrote:

I'll check in with the monitor

Sent from Yahoo Mail for iPhone

On Sunday, January 24, 2021, 6:35 PM, KassenoffA@gtlaw.com wrote:

The kids are waiting as well.

On Jan 24, 2021, at 6:33 PM, catherine kassenoff <ckassenoff@yahoo.com> wrote:

EXTERNAL TO GT

I am on the call and no one is there.

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**SUPREME COURT FOR THE STATE OF NEW YORK
COUNTY OF WESTCHESTER**

X

~~ALLAN KASSENOFF,~~

Plaintiff,

-against-

Defendant.

Index No. 58217/2019

**NOTICE OF
SETTLEMENT
OF COUNTER-ORDERS**

X

PLEASE TAKE NOTICE, that the annexed proposed Counter-Orders of which the within are true copies, will be presented for signature to Hon. Nancy Quinn-Koba, one of the Justice of the Supreme Court of the State of New York, County of Westchester, 111 Dr. Martin Luther King Jr. Blvd., White Plains, New York, NY 10601 on February 5, 2020. Please note that the underlined additions to content, and language which has been deleted.

Dated: New York, New York
February 3, 2021

Yours, etc.

Marcia E. Kusnetz, Esq.
The Law Office of Marcia E. Kusnetz, P.C.

To: All counsel of Record via NYSCEF

**SUPREME COURT FOR THE STATE OF NEW YORK
COUNTY OF WESTCHESTER**

x

ALLAN KASSENOFF,

Plaintiff,

-against-

Defendant.

QUINN-KOBA, J.

Index No. 58217/2019

COUNTER-ORDER

x

WHEREAS, the parties having placed in issue the custody and access with the three minor children of the marriage; and

WHEREAS, Plaintiff was previously directed by the Court to forward to Defendant all school notices sent to Josephina Kassenoff's Online Classroom/or Google Classroom account which was established through the child's Mamaroneck Union Free School District; and

NOW THEREFORE, it is hereby

ORDERED, that Plaintiff, as the temporary custodial parent, has agreed that the Defendant shall have complete access to Josephina Kassenoff's Online Classroom/ or Google Classroom account, and Plaintiff shall facilitate such access if necessary, which shall alleviate Plaintiff's obligation to forward to the Defendant the school notices which appear on Josephina's Online Classroom/or Google Classroom;; and it is further

ORDERED, that neither party shall make any changes to Josephina's Online Classroom/ or Google Classroom username or password without the consent of the other party; and it is further

ORDERED, that Defendant shall not use the access to Josephina's Online Classroom/ or

Google Classroom account as a means of communicating directly with Josephina, nor with any of the other Kassenoff children in violation of any existing Court Order.

The foregoing constitutes an Order of this Court.

Dated: February __, 2021
White Plains, New York

ENTER:

Hon. Nancy Quinn- Koba, J.S.C.

**SUPREME COURT FOR THE STATE OF NEW YORK
COUNTY OF WESTCHESTER**

X

ALLAN KASSENOFF,

Plaintiff,

-against-

Defendant.

X

Index No. 58217/2019

COUNTER-ORDER

Q. KOBA, J.

WHEREAS, the parties having placed in issue the custody and access with the three minor children of the marriage; and

~~WHEREAS, this Court previously directed the Defendant to provide the Plaintiff with a copy of the financial aid application submitted to the French American School of New York ("FASNY") for the 2020-2021 school year; and~~

~~WHEREAS, the Defendant now claims that she never submitted a financial aid application for the 2020-2021 school year;~~

~~WHEREAS, the Plaintiff called FASNY yesterday (February 1, 2021) and was told that the Defendant had in fact submitted a financial aid application for the 2020-2021 school year and stated (again) that FASNY would not share that application with the Plaintiff as it was the property of the Defendant; and~~

NOW THEREFORE, it is hereby

ORDERED, that the French American School of New York is hereby directed to produce, and Defendant authorizes FASNY to provide to the Plaintiff-Father Allan Kassenoff copies of any and all confidential submissions by the Defendant Catherine Kassenoff, either through

TADS or by direct submission of information to FASNY, constituting an application(s) for financial aid or scholarship submitted for the 2020-2021 FASNY school year (or similar applications for the reduction of tuition) made by the Defendant or on behalf of the Defendant (including all documentation and/or materials submitted to FASNY in support of said application(s)), pertinent to Charlotte Kassenoff, together with any and all correspondence Defendant Catherine Kassenoff received from FASNY; and it is further

ORDERED, that the Plaintiff Allan Kassenoff shall pay the cost of production of the documents, information and correspondence noted above, as such costs may be incurred by FASNY; and it is further

ORDERED, that the Plaintiff shall provide a copy to the Defendant of the documents, information and correspondence produced by FASNY pursuant to this Order; and it is further

ORDERED, that the documents, information and correspondence produced by FASNY to the Plaintiff pursuant to this Order shall be treated as confidential by the Plaintiff, and as part of the record of these matrimonial proceedings, and such documents, information and correspondence shall not be disclosed by the Defendant and his counsel to any non-party, without the prior written Order of this Court.

The foregoing constitutes an Order of this Court.

Dated: February __, 2021
White Plains, New York

ENTER:

Hon. Nancy Quinn- Koba, J.S.C.

Carol Most

From: KassenoffA@gtlaw.com
Sent: Wednesday, February 3, 2021 6:50 PM
To: supervisionservices@yahoo.com
Cc: ckassenoff@yahoo.com; gd@dimolaw.com; Carol Most; marcia@marciakusnetzlaw.com
Subject: Re: Call?

The kids will log back in.

On Feb 3, 2021, at 6:49 PM, Carlos Malave <supervisionservices@yahoo.com> wrote:

We apologize for the delay it was on our end. technical issues

Is everyone able to log on now ?

Viola Varner
Director of Operations
Tel: 646-737-6866

Carlos Malave, MPA, LMSW
Executive Director
Tel: 917-293-1688

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Member of Supervised Visitation Network 

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On Wednesday, February 3, 2021, 06:48:40 PM EST, <kassenoffa@gtlaw.com> wrote:

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All set

Sent from Yahoo Mail for iPhone

On Sunday, January 24, 2021, 6:38 PM, Carlos Malave <supervisionservices@yahoo.com> wrote:

I'll check in with the monitor

Sent from Yahoo Mail for iPhone

On Sunday, January 24, 2021, 6:35 PM, KassenoffA@gtlaw.com wrote:

The kids are waiting as well.

On Jan 24, 2021, at 6:33 PM, catherine kassenoff <ckassenoff@yahoo.com> wrote:

EXTERNAL TO GT

I am on the call and no one is there.

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com, and do not use or disseminate the information.

Carol Most

16

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Thursday, February 4, 2021 12:25 AM
To: Carolyn McGuffog
Cc: Allan Kassenoff; Carol Most
Subject: Re: Invoices and payments

Dr McGuffog-

I am not permitted to send you emails beyond scheduling and payment issues. I needed to know what sessions Allan attended in order to determine payment allocation issues. I appreciate your recommendation regarding parent sessions but I am not permitted to address those.

On Thursday, February 4, 2021, 12:01:11 AM EST, Carolyn McGuffog <drmcguffog@gmail.com> wrote:

Catherine,

Allan was not in any of Ally's sessions in January. However, she missed her 5 pm session on 1/27 because she was at the police station. When she returned home with Alan, I offered to talk for a brief time as I had other patients scheduled. Allan was with Ally who did not want to talk about where she had been.

Catherine in my report I recommended joint parent guidance sessions. It would be much more fruitful for us all to discuss these serious issues that pertain to Ally rather than sending me emails asking for information about Allan.

Please consider this.

Carolyn McGuffog

Sent from my iPhone

On Feb 3, 2021, at 1:10 PM, catherine kassenoff <ckassenoff@yahoo.com> wrote:

Dr. McGuffog - I am following up on this. Please advise. Thank you,

Catherine

On Saturday, January 30, 2021, 08:15:50 AM EST, Catherine <ckassenoff@yahoo.com> wrote:

Dr McGuffog

Please send me your accounting for January for the above, for Ally. Please indicate all sessions in which Allan was present.

Many thanks

Catherine

Sent from my iPhone

Carol Most

From: KassenoffA@gtlaw.com
Sent: Thursday, February 4, 2021 12:28 AM
To: ckassenoff@yahoo.com
Cc: drmcguffog@gmail.com; Carol Most
Subject: Re: Invoices and payments

Catherine,

1. My attendance at a session has nothing to do with "payment allocation issues." I don't even know what you mean.
2. Why are you not permitted to attend a parent guidance session? There is no court order prohibiting your attendance at such a session, especially if Dr. McGuffog suggests it.

On Feb 4, 2021, at 12:24 AM, catherine kassenoff <ckassenoff@yahoo.com> wrote:

EXTERNAL TO GT

Dr McGuffog-

I am not permitted to send you emails beyond scheduling and payment issues. I needed to know what sessions Allan attended in order to determine payment allocation issues. I appreciate your recommendation regarding parent sessions but I am not permitted to address those.

On Thursday, February 4, 2021, 12:01:11 AM EST, Carolyn McGuffog <drmcguffog@gmail.com> wrote:

Catherine,

Allan was not in any of Ally's sessions in January. However, she missed her 5 pm session on 1/27 because she was at the police station. When she returned home with Alan, I offered to talk for a brief time as I had other patients scheduled. Allan was with Ally who did not want to talk about where she had been.

Catherine in my report I recommended joint parent guidance sessions. It would be much more fruitful for us all to discuss these serious issues that pertain to Ally rather than sending me emails asking for information about Allan.

Please consider this.

Carolyn McGuffog

Sent from my iPhone

On Feb 3, 2021, at 1:10 PM, catherine kassenoff <ckassenoff@yahoo.com> wrote:

Dr. McGuffog - I am following up on this. Please advise. Thank you,

Catherine

On Saturday, January 30, 2021, 08:15:50 AM EST, Catherine <ckassenoff@yahoo.com> wrote:

Dr McGuffog

Please send me your accounting for January for the above, for Ally. Please indicate all sessions in which Allan was present.

Many thanks

Catherine

Sent from my iPhone

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18

Carol Most

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Thursday, February 4, 2021 1:34 PM
To: Carol Most
Subject: Fw: 21-22 Re-Enrollment - Deadline has passed

See below. Charlotte's spot at FASNY lost again this year, just like last year, due to Allan's failure to pay.

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To: Stephanie Reyna <sreyna@fasny.org>; Gus Dimopoulos <gd@dimolaw.com>; Lisa Vara <lvaragulmez@sffny.org>; allan kassenoff <kassenoffa@gtlaw.com>; Pascale Tooth <ptooth@fasny.org>
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Cc: kassenoffa@gtlaw.com <kassenoffa@gtlaw.com>; Stéphanie Reyna <sreyna@fasny.org>; gd@dimolaw.com <gd@dimolaw.com>; Pascale Tooth <ptooth@fasny.org>; Lisa Vara <lvaragulmez@sffny.org>
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I am available at 914.727.7971 shall you or Mr Kassenoff need assistance with the formalities of reenrollment.

Regarding the 20-21 balance, Mrs Reyna and Mrs Tooth, here in copy, will be your preferred contacts.

Stay well,

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French-American School of New York
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Tel: 914-250-0401



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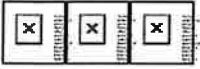
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I am a bit confused here.

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Allan Kassenoff

Allan Kassenoff
Shareholder

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KassenoffA@gtlaw.com | www.gtlaw.com | [View GT Biography](#)

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To: Akassenoff <akassenoff@yahoo.com>
Cc: Ckassenoff <ckassenoff@yahoo.com>
Sent: Wednesday, February 3, 2021, 03:47:13 PM EST
Subject: 21-22 Re-Enrollment - Deadline has passed

<image003.jpg>

Dear FASNY Parents:

We regret to inform you that you were unable to meet our re-enrollment deadline of 02/01. Your agreement is now expired and your child has been placed on our waitlist roster. Please contact the Admissions Office - admissions@fasny.org - for re-enrollment options.

If you are ready to confirm your departure, please complete the [departure form](#) on your parental portal.

Thank you for your understanding.

<~WRD081.jpg>

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Stephanie Reyna
Finance Assistant & Financial Aid Coordinator
French-American School of New York
320 E. Boston Post Rd., Mamaroneck, NY 10543
Tel: **914-250-0412**



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Carol Most

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Thursday, February 4, 2021 1:57 PM
To: Marcia Kusnetz; Carol Most; Lisa Vara
Subject: Fw: 21-22 Re-Enrollment - Deadline has passed

See below.

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To: catherine kassenoff <ckassenoff@yahoo.com>; Gus Dimopoulos <gd@dimolaw.com>; Lisa Vara <lvaragulmez@sffny.org>; allan kassenoff <kassenoffa@gtlaw.com>; Pascale Tooth <ptooth@fasny.org>
Sent: Thursday, February 4, 2021, 01:54:57 PM EST
Subject: RE: 21-22 Re-Enrollment - Deadline has passed

Dear Mrs. Kassenoff,

We have not received the check yet. I will confirm as soon as we receive it. Concerning the financial aid application, please continue to finalize it and send all required documents. For the 2021-22 school year, as stated in our previous emails the outstanding balance must be paid in full and the 2021-22 enrollment agreement signed by both parents.

Thank you,

Stephanie

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Thursday, February 4, 2021 1:33 PM
To: Stephanie Reyna <sreyna@fasny.org>; Gus Dimopoulos <gd@dimolaw.com>; Lisa Vara <lvaragulmez@sffny.org>; allan kassenoff <kassenoffa@gtlaw.com>; Pascale Tooth <ptooth@fasny.org>
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Many thanks,

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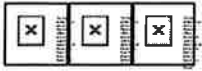
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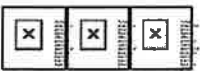
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KassenoffA@gtlaw.com | www.gtlaw.com | [View GT Biography](#)

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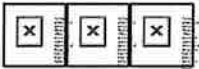
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French-American School of New York
320 E. Boston Post Rd., Mamaroneck, NY 10543
Tel: 914-250-0412



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19

Carol Most

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Thursday, February 4, 2021 9:13 AM
To: Maria Baratta; Irene Ratner
Cc: Gus Dimopoulos; Carol Most; Lisa Vara; Ruchama Cohen
Subject: Kassenoff v. Kassenoff Index No. 58217/2019
Attachments: Notice of Settlement Counter Orders for Online Classroom Access and FASNY Production .docx

Ms Baratta, Please see the attached corrected FASNY Counter Order which corrects the last paragraph reference from Defendant, to "Plaintiff." Thank you.

Marcia Kusnetz

20

Carol Most

From: Carolyn McGuffog <drmcguffog@gmail.com>
Sent: Thursday, February 4, 2021 12:01 AM
To: catherine kassenoff
Cc: Allan Kassenoff; Carol Most
Subject: Re: Invoices and payments

Follow Up Flag: Follow up
Flag Status: Flagged

Catherine,

Allan was not in any of Ally's sessions in January. However, she missed her 5 pm session on 1/27 because she was at the police station. When she returned home with Alan, I offered to talk for a brief time as I had other patients scheduled. Allan was with Ally who did not want to talk about where she had been.

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To: KassenoffA@gtlaw.com; gd@dimolaw.com
Subject: RE: 21-22 Re-Enrollment - Deadline has passed

[REDACTED]

Carol W. Most
Most & Schneid, P.C.
White Plains Office:
222 Bloomingdale Road, Suite 302
White Plains, NY 10605
Tel: 914.997.9181
Fax: 914.997.9180

Garden City Office:
666 Old Country Road, Suite 304
Garden City, NY 11530
Tel: 516.453.9000
Fax: 914.997.9180



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1. No one decided that Charlotte is attending FASNY next year. As far as I know (and as confirmed by Judge Koba earlier this week), that is solely my decision.
2. The reason I didn't pay the \$8000 is that Catherine has STILL not provided the financial aid application as required by the Court more than 7 months ago. Gus explained this to Team Catherine on countless occasions.

Allan Kassenoff
Shareholder

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Carol W. Most
Most & Schneid, P.C.
White Plains Office:
222 Bloomingdale Road, Suite 302
White Plains, NY 10605
Tel: 914.997.9181
Fax: 914.997.9180

Garden City Office:
666 Old Country Road, Suite 304
Garden City, NY 11530
Tel: 516.453.9000
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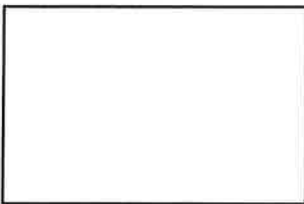
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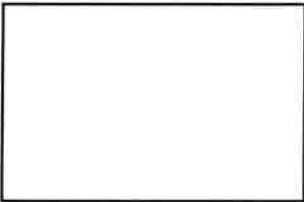
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Our mission is to provide a safe and stimulating environment for our students to thrive in, and we hope Charlotte will be able to remain at FASNY for many years to come. However, FASNY is not in a position to mediate personal divergences.

We thank you in advance for your understanding,

The Admissions and the Finance Offices,

Marine Heraud
Director of Admissions| *Directrice des Admissions*
French-American School of New York
320 E. Boston Post Rd., Mamaroneck, NY 10543
Tel: 914-250-0401



Already applied? [Click here](#) to check the status of your application.

On Wed, Feb 3, 2021 at 6:07 PM <KassenoffA@gtlaw.com> wrote:

Why didn't you tell me this when I agreed to send you a check for \$1500?

On Feb 3, 2021, at 5:51 PM, Stephanie Reyna <sreyna@fasny.org> wrote:

Dear Mr. Kassenoff,

The system request that both parents sign the contract. If one parent did not sign the online agreement, the system will automatically send the notice to the family.

We would also like to remind you that as per the signed school enrollment agreement, only students with accounts in good standing will be able to enroll for the 2021/22 school year.

Unfortunately, until the 2020/21 balance is paid in full, Charlotte's 2021/22 enrollment will be placed on hold.

Thank you for your understanding in this matter.

Best regards,

Stephanie Reyna

On Wed, Feb 3, 2021 at 3:56 PM <KassenoffA@gtlaw.com> wrote:

Ms. Reyna,

Catherine received the email below from FASNY. What exactly was missing? My understanding is that Catherine paid \$1500 on Monday and you and I spoke that day, and you confirmed that I could mail you a check for the other \$1500 today (which I already did).

I am a bit confused here.

Thank you,

Allan Kassenoff

Allan Kassenoff
Shareholder

Greenberg Traurig, LLP
MetLife Building | 200 Park Avenue | New York, NY 10166
T +1 212.801.2157 | F +1 212.805.9407 | C +1 917.623.8353
KassenoffA@gtlaw.com | www.gtlaw.com | [View GT Biography](#)

<image001.png>

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Wednesday, February 3, 2021 3:52 PM
To: Kassenoff, Allan (Shld-NY-IP-Tech) <KassenoffA@gtlaw.com>; Gus Dimopoulos <gd@dimolaw.com>
Subject: Fw: 21-22 Re-Enrollment - Deadline has passed

EXTERNAL TO GT

Seriously? Great job.

----- Forwarded Message -----

From: Admissions at FASNY <kugoji@fasny.org>

To: Akassenoff <akassenoff@yahoo.com>

Cc: Ckassenoff <ckassenoff@yahoo.com>

Sent: Wednesday, February 3, 2021, 03:47:13 PM EST

Subject: 21-22 Re-Enrollment - Deadline has passed

<image003.jpg>

Dear FASNY Parents:

We regret to inform you that you were unable to meet our re-enrollment deadline of 02/01. Your agreement is now expired and your child has been placed on our waitlist roster. Please contact the Admissions Office - admissions@fasny.org - for re-enrollment options.

If you are ready to confirm your departure, please complete the [departure form](#) on your parental portal.

Thank you for your understanding.

<~WRD081.jpg>

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com, and do not use or disseminate the information.

Stephanie Reyna
Finance Assistant & Financial Aid Coordinator
French-American School of New York
320 E. Boston Post Rd., Mamaroneck, NY 10543
Tel: 914-250-0412



Already applied? [Click here](#) to check the status of your application.

Carol Most

From: drmarc@bestweb.net
Sent: Friday, February 5, 2021 4:54 PM
To: 'Maria Baratta'; 'Gus Dimopoulos'; 'Marcia Kusnetz'; Carol Most; 'Ruchama Cohen'; 'Lisa Vara'; 'Michael Chiaramonte'
Cc: 'Irene Ratner'
Subject: RE: 58217/2020 Kassenoff v Kassenoff

To All Parties:

- 1) Mr. Kassenoff had already been in compliance with his prior appointments. If I need to schedule another session with him, I will reach out to him then.
- 2) Mrs. Kassenoff sent me the following e-mail to me 3:52 pm.:

Dr. Abrams:

I am writing to find out how you wish to proceed with the above. Unfortunately, because I am in a Clinical Trial with Memorial Sloan Kettering, I am already booked up all of next week. My earliest availability is on 2/18 and 2/19.

Many thanks,

Catherine Kassenoff

- 3) My Response to her e-mail is as follows:

Mrs. Kassenoff:

Thank you for contacting me. I am genuinely sorry to hear that you are in a clinical trial at Memorial Sloan Kettering. I will tentatively schedule your first appointment for Monday, February 22, 2021 (9am. start time). Kindly have your attending physician contact me at the doctor's earliest convenience. I need to speak to the doctor about any potential side effects from medications that might alter some aspect of your psychological functioning. Additionally, I will require a copy of a covid test that you take within two weeks of that appointment date.

Respectfully,

Dr. Abrams

I hope that this satisfies any questions or concerns that any party might have. If further clarification is required, please do not hesitate to contact me. I hope that every is safe and healthy and has a nice weekend.

Respectfully,

Dr. Abrams

From: Maria Baratta <mbaratta@nycourts.gov>
Sent: Wednesday, February 3, 2021 4:20 PM
To: Marc Abrams <Drmarc@bestweb.net>; Gus Dimopoulos <gd@dimolaw.com>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Carol W. Most <carolmost@cwmost.com>; Ruchama Cohen <rcohen@sffny.org>;

Lisa Vara <lvaragulmez@sffny.org>; Michael Chiaramonte <mc@dimolaw.com>

Cc: Irene Ratner <iratner@nycourts.gov>

Subject: 58217/2020 Kassenoff v Kassenoff

Dear Dr. Abrams and counsel:

On behalf of Judge Koba, please be advised that that Dr. Abrams is to immediately resume the supplemental forensic evaluation in the above referenced matter pursuant to the Court's November 19, 2020 order.

Counsel are advised that any party who has not been in contact with Dr. Abrams to complete the updated neutral forensic evaluation shall contact Dr. Abrams no later than 5:00 p.m. on Friday, February 5, 2021 to resume the evaluation.

If said parties have not contacted Dr. Abrams by February 5, 2021, Dr. Abrams shall notify the Court regarding the failure to comply with this directive.

Dr. Abrams and counsel are to acknowledge receipt of this communication.

Maria Baratta

Assistant Law Clerk to the Hon. Nancy Quinn Koba

Westchester County Supreme Court

111 Dr. Martin Luther King Jr. Blvd

White Plains, NY 10601

914-824-5486

mbaratta@nycourts.gov

NOTICE: RECORDING, BROADCASTING, OR STREAMING OF COURT PROCEEDINGS IS PROHIBITED (RULES OF THE CHIEF JUDGE 29.1).

NOTICE: COUNSEL ARE DIRECTED TO FORWARD ANY **MICROSOFT TEAMS** LINK TO ANY AND ALL PERSONS ENTITLED TO NOTICE. BE ADVISED, ALL PARTICIPANTS ARE TO **CONDUCT A TEST** 24 HOURS PRIOR TO SCHEDULED APPEARANCES. TO CONDUCT A TEST, MICROSOFT TEAMS MUST BE INSTALLED ON YOUR MACHINE. INSTRUCTIONS ON HOW TO DOWNLOAD MICROSOFT TEAMS AND CONDUCT A TEST ON YOUR MACHINE CAN BE FOUND AT:
<https://portal.nycourts.gov/knowledgebase/article/KA-01071/en-us>.

NOTICE: UNLESS EXPRESSLY AUTHORIZED BY THE COURT ATTORNEY REFEREE OR MATRIMONIAL PART JUSTICE TO WHOM IT IS DIRECTED, OR UNLESS SPECIFICALLY AUTHORIZED BY THE WESTCHESTER SUPREME COURT MATRIMONIAL PART OPERATIONAL RULES, NO LETTER OR OTHER WRITTEN COMMUNICATION IS TO BE TRANSMITTED TO THE MATRIMONIAL PART BY ANY MEANS OF TRANSMISSION (SEE WESTCHESTER SUPREME COURT MATRIMONIAL PART OPERATIONAL RULES § [J] [2]). ANY WRITTEN COMMUNICATION SENT IN VIOLATION OF THE RULES WILL NOT BE REVIEWED OR RESPONDED TO BY THE COURT.

Carol Most

From: Carlos Malave <supervisionservices@yahoo.com>
Sent: Saturday, February 6, 2021 5:21 PM
To: KassenoffA@gtlaw.com; catherine kassenoff
Cc: gd@dimolaw.com; Carol Most; Marcia Kusnetz
Subject: Visit Schedule

Hello All

Just confirming

No call today
No call tomorrow

Calls happening Monday & Wednesday

On Wednesday Mom will confirm Wednesday before 630pm for further visit schedule

Sent from Yahoo Mail for iPhone


On Wednesday, February 3, 2021, 7:23 PM, Carlos Malave <supervisionservices@yahoo.com> wrote:

Not sure what happened the monitor was on the line and didn't see anyone. We will review this and resume tomorrow.

Viola Varner
Director of Operations
Tel: 646-737-6866

Carlos Malave, MPA, LMSW
Executive Director
Tel: 917-293-1688

Please visit us at <http://www.supervisionservices.net>

Member of Supervised Visitation Network 

This email transmission, any attached documents and all subsequent replies to the initial email message may be confidential and intended solely for the use of the individual(s) to whom they are addressed. If you are not the intended recipient or designee, you are hereby notified that any further review, disclosure, copying, dissemination, distribution, or use of any of the information contained in or attached to the email(s) is strictly prohibited. If you have received this message in error, please notify the sender and delete the email and attachments immediately. Thank you.

On Wednesday, February 3, 2021, 07:21:31 PM EST, catherine kassenoff <ckassenoff@yahoo.com> wrote:

I have been waiting too. No one allowed me into the room

On Wednesday, February 3, 2021, 07:09:19 PM EST, KassenoffA@gtlaw.com <kassenoffa@gtlaw.com> wrote:

The kids have waited 40 minutes. I am going to release them.

On Feb 3, 2021, at 7:02 PM, Carlos Malave <supervisionservices@yahoo.com> wrote:

The monitor has been on since I contacted you all by this email - not sure of mom was available to log back on - if anything we will resume tomorrow

We truly apologize for the tech issues

Viola Varner
Director of Operations
Tel: 646-737-6866

Carlos Malave, MPA, LMSW
Executive Director
Tel: 917-293-1688

Please visit us at <http://www.supervisionservices.net>

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On Wednesday, February 3, 2021, 06:58:07 PM EST, <kassenoffa@gtlaw.com> wrote:

Is the call happening? It is now nearly 7 pm

On Feb 3, 2021, at 6:49 PM, Carlos Malave <supervisionservices@yahoo.com> wrote:

We apologize for the delay it was on our end. technical issues

Is everyone able to log on now ?

Viola Varner
Director of Operations
Tel: 646-737-6866

Carlos Malave, MPA, LMSW
Executive Director
Tel: 917-293-1688

Please visit us at <http://www.supervisionservices.net>

Member of Supervised Visitation Network



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On Wednesday, February 3, 2021, 06:48:40 PM EST,
<kassenoffa@gtlaw.com> wrote:

The kids have been waiting since 6:30. What is going on?

On Jan 24, 2021, at 6:38 PM, Carlos Malave
<supervisionservices@yahoo.com> wrote:

All set

Sent from Yahoo Mail for iPhone

On Sunday, January 24, 2021, 6:38 PM, Carlos
Malave <supervisionservices@yahoo.com>
wrote:

I'll check in with the monitor

Sent from Yahoo Mail for iPhone

Carol Most

24

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Sunday, February 7, 2021 9:13 PM
To: Carol Most
Subject: Fw: 21-22 Re-Enrollment - Deadline has passed

Follow Up Flag: Follow up
Flag Status: Flagged

So last year your excuse was colon cancer. What's your excuse this year for Charlotte losing her spot? Brain cancer? I am outraged by your indifference. Your client won't pay the school, lost Charlotte's spot, and you just don't care.

----- Forwarded Message -----

From: catherine kassenoff <ckassenoff@yahoo.com>
To: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Lisa Vara <lvaragulmez@sffny.org>
Sent: Saturday, February 6, 2021, 10:52:28 PM EST
Subject: Fw: 21-22 Re-Enrollment - Deadline has passed

----- Forwarded Message -----

From: Marine Heraud <mheraud@fasny.org>
To: catherine kassenoff <ckassenoff@yahoo.com>
Cc: kassenoffa@gtlaw.com <kassenoffa@gtlaw.com>; Stéphanie Reyna <sreyna@fasny.org>; gd@dimolaw.com <gd@dimolaw.com>; Pascale Tooth <ptooth@fasny.org>; Lisa Vara <lvaragulmez@sffny.org>
Sent: Wednesday, February 3, 2021, 07:17:52 PM EST
Subject: Re: 21-22 Re-Enrollment - Deadline has passed

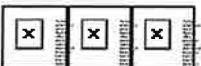
Dear Mrs Kassenoff,
Again, we will take the extra mile to provide guidance and solutions to accommodate your family and make sure Charlotte remains at the center of our priorities. Anything else should be discussed between you and your respective counsel when it comes to financial or educational responsibilities.

I am available at 914.727.7971 shall you or Mr Kassenoff need assistance with the formalities of reenrollment.

Regarding the 20-21 balance, Mrs Reyna and Mrs Tooth, here in copy, will be your preferred contacts.

Stay well,

Marine Heraud
Director of Admissions| *Directrice des Admissions*
French-American School of New York
320 E. Boston Post Rd., Mamaroneck, NY 10543
Tel: 914-250-0401



Already applied? [Click here](#) to check the status of your application.

On Wed, Feb 3, 2021 at 7:02 PM catherine kassenoff <ckassenoff@yahoo.com> wrote:
Madame Heraud,

I am very sorry and dismayed that we find ourselves - again this year - in a situation that could easily have been avoided had Mr. Kassenoff made his payment on time, to the school. He committed to paying the school in both emails to me and to the court. If I could cover his arrears, I would, but I am a state employee and he is a partner at an international law firm. Surely, he can come up with less than \$9,000 for his daughter and as he represented to the court and to me.

Just like last year, where he blamed me and then the school for not walking him through how to make a payment, he now blames the school for not explaining to him that payment must be received by the deadline - not afterward. It is quite obvious that he is not interested in making the payment.

I will ask - as I begged last year - that the school allow Charlotte a spot and that it accept her financial aid application, which I hope to finalize soon. FASNY was very generous to us and I am very appreciative. I am happy to provide you with whatever documentation you need (the emails) that show Mr. Kassenoff agreed to make the payment for 2020-21. I hope that you will not sue me, as I relied on his representations and the court's orders. This is his debt, not mine.

I am sorry it has come to this.

Catherine

On Wednesday, February 3, 2021, 06:37:53 PM EST, Marine Heraud <mheraud@fasny.org> wrote:

Dear Mr and Mrs Kassenoff,

While we are trying to be sensitive to every situation, we also have to follow guidelines, as any independent schools, when it comes to enrolling or reenrolling our students. You were offered a reenrollment contract early January because, at the time, your account was in good standing.

Mr Kassenoff, it is my understanding from your previous communication that your portion of the deposit is on the way.

For Charlotte's reenrollment to be complete and processed, we would need:

- the remaining balance for 20-21 must be paid,
- both contracts for the 21-22 academic year signed (including both deposits).

If this is not possible or acceptable to you, we will place Charlotte's reenrollment at FASNY on hold until you, parents of Charlotte, find an agreement.

Our mission is to provide a safe and stimulating environment for our students to thrive in, and we hope Charlotte will be able to remain at FASNY for many years to come. However, FASNY is not in a position to mediate personal divergences.

We thank you in advance for your understanding,

The Admissions and the Finance Offices,

Marine Heraud
Director of Admissions| *Directrice des Admissions*
French-American School of New York
320 E. Boston Post Rd., Mamaroneck, NY 10543
Tel: 914-250-0401



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On Wed, Feb 3, 2021 at 6:07 PM <KassenoffA@gtlaw.com> wrote:
Why didn't you tell me this when I agreed to send you a check for \$1500?

On Feb 3, 2021, at 5:51 PM, Stephanie Reyna <sreyna@fasny.org> wrote:

Dear Mr. Kassenoff,

The system request that both parents sign the contract. If one parent did not sign the online agreement, the system will automatically send the notice to the family.

We would also like to remind you that as per the signed school enrollment agreement, only students with accounts in good standing will be able to enroll for the 2021/22 school year.

Unfortunately, until the 2020/21 balance is paid in full, Charlotte's 2021/22 enrollment will be placed on hold.

Thank you for your understanding in this matter.

Best regards,

Stephanie Reyna

On Wed, Feb 3, 2021 at 3:56 PM <KassenoffA@gtlaw.com> wrote:

Ms. Reyna,

Catherine received the email below from FASNY. What exactly was missing? My understanding is that Catherine paid \$1500 on Monday and you and I spoke that day, and you confirmed that I could mail you a check for the other \$1500 today (which I already did).

I am a bit confused here.

Thank you,

Allan Kassenoff

Allan Kassenoff
Shareholder

Greenberg Traurig, LLP
MetLife Building | [200 Park Avenue](#) | New York, NY 10166

<image001.png>

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Wednesday, February 3, 2021 3:52 PM
To: Kassenoff, Allan (Shld-NY-IP-Tech) <KassenoffA@gtlaw.com>; Gus Dimopoulos <gd@dimolaw.com>
Subject: Fw: 21-22 Re-Enrollment - Deadline has passed

EXTERNAL TO GT

Seriously? Great job.

----- Forwarded Message -----

From: Admissions at FASNY <kugoji@fasny.org>
To: Akassenoff <akassenoff@yahoo.com>
Cc: Ckassenoff <ckassenoff@yahoo.com>
Sent: Wednesday, February 3, 2021, 03:47:13 PM EST
Subject: 21-22 Re-Enrollment - Deadline has passed

<image003.jpg>

Dear FASNY Parents:

We regret to inform you that you were unable to meet our re-enrollment deadline of 02/01. Your agreement is now expired and your child has been placed on our waitlist roster. Please contact the Admissions Office - admissions@fasny.org - for re-enrollment options.

If you are ready to confirm your departure, please complete the [departure form](#) on your parental portal.

Thank you for your understanding.

<~WRD081.jpg>

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com, and do not use or disseminate the information.

Stephanie Reyna
Finance Assistant & Financial Aid Coordinator
French-American School of New York
320 E. Boston Post Rd., Mamaroneck, NY 10543
Tel: 914-250-0412



Already applied? [Click here](#) to check the status of your application.

Carol Most

From: KassenoffA@gtlaw.com
Sent: Wednesday, February 10, 2021 7:45 AM
To: gd@dimolaw.com; Carol Most
Subject: Fwd: Invoices and payments

Catherine has been incessantly harassing dr mcguffig.

Begin forwarded message:

From: Carolyn McGuffog <drmcguffog@gmail.com>
Date: February 10, 2021 at 7:37:27 AM EST
To: catherine kassenoff <ckassenoff@yahoo.com>
Cc: "Kassenoff, Allan (Shld-NY-IP-Tech)" <KassenoffA@gtlaw.com>
Subject: Re: Invoices and payments

Catherine,

Please re-read the email I sent you on February 4, 2021 at 12:01 AM. I answered your question already.

Carolyn McGuffog

Sent from my iPhone

On Feb 10, 2021, at 7:26 AM, catherine kassenoff <ckassenoff@yahoo.com> wrote:

Please clarify - was Allan present on 1/27 when you tried to speak with Ally? She says he was there (and she wasn't happy about it). Again, I need to know this in order to get the reimbursements to which I am entitled for time he is with you.

On Saturday, February 6, 2021, 12:58:49 PM EST, Carolyn McGuffog <drmcguffog@gmail.com> wrote:

I haven't sent January yet.

Carolyn

Sent from my iPhone

On Feb 6, 2021, at 12:53 PM, catherine kassenoff <ckassenoff@yahoo.com> wrote:

I don't have January

On Saturday, February 6, 2021, 12:52:07 PM EST, Carolyn McGuffog <drmcguffog@gmail.com> wrote:

Catherine,

Every invoice for Ally is emailed to both you and Allan so you have them all already.

Carolyn McGuffog

Sent from my iPhone

On Feb 6, 2021, at 12:41 PM, catherine kassenoff <ckassenoff@yahoo.com> wrote:

Dr. McGuffog -

May I ask again for the invoices? They are paid from my joint funds with Allan.

Many thanks,

Catherine

----- Forwarded Message -----

From: catherine kassenoff <ckassenoff@yahoo.com>
To: KassenoffA@gtlaw.com <kassenoffa@gtlaw.com>
Cc: drmcguffog@gmail.com <drmcguffog@gmail.com>
Sent: Thursday, February 4, 2021, 02:14:34 PM EST
Subject: Re: Invoices and payments

Dr. McGuffog,

To clarify, I need your January invoice, with an indication on the invoice, for any sessions the Father attended with Ally. I will be requesting reimbursements from Allan for payments I am making toward his private meetings with you and Ally - for which I am excluded.

As for a parent guidance session, I have sought guidance from my counsel who says I am permitted to respond with my availability for such a session. Next week is rather difficult for me, but the week after works. Please let me know and thank you again.

Catherine

On Thursday, February 4, 2021, 12:28:28 AM EST, KassenoffA@gtlaw.com <kassenoffa@gtlaw.com> wrote:

Catherine,

1. My attendance at a session has nothing to do with "payment allocation issues." I don't even know what you mean.

2. Why are you not permitted to attend a parent guidance session? There is no court order prohibiting your attendance at such a session, especially if Dr. McGuffog suggests it.

On Feb 4, 2021, at 12:24 AM, catherine kassenoff <ckassenoff@yahoo.com> wrote:

EXTERNAL TO GT

Dr McGuffog-

I am not permitted to send you emails beyond scheduling and payment issues. I needed to know what sessions Allan attended in order to determine payment allocation issues. I appreciate your recommendation regarding parent sessions but I am not permitted to address those.

On Thursday, February 4, 2021, 12:01:11 AM EST, Carolyn McGuffog <drmcguffog@gmail.com> wrote:

Catherine,

Allan was not in any of Ally's sessions in January. However, she missed her 5 pm session on 1/27 because she was at the police station. When she returned home with Alan, I offered to talk for a brief time as I had other patients scheduled. Allan was with Ally who did not want to talk about where she had been.

Catherine in my report I recommended joint parent guidance sessions. It would be much more fruitful for us all to discuss these serious issues that pertain to Ally rather than sending me emails asking for information about Allan.

Please consider this.

Carolyn McGuffog

Sent from my iPhone

On Feb 3, 2021, at 1:10 PM, catherine kassenoff

<ckassenoff@yahoo.com> wrote:

Dr. McGuffog - I am following up on this. Please advise. Thank you,

Catherine

On Saturday, January 30, 2021, 08:15:50 AM EST, Catherine <ckassenoff@yahoo.com> wrote:

Dr McGuffog
Please send me your accounting for January for the above, for Ally. Please indicate all sessions in which Allan was present.
Many thanks
Catherine

Sent from my iPhone

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com, and do not use or disseminate the information.

Carol Most

From: KassenoffA@gtlaw.com
Sent: Wednesday, February 10, 2021 7:11 AM
To: gd@dimolaw.com; Carol Most
Subject: Fwd: Various Urgent Issues

[REDACTED]

Begin forwarded message:

From: catherine kassenoff <ckassenoff@yahoo.com>
Date: February 10, 2021 at 6:44:09 AM EST
To: gd@dimolaw.com, "Kassenoff, Allan (Shld-NY-IP-Tech)" <KassenoffA@gtlaw.com>
Subject: Re: Various Urgent Issues

Allan

You don't get to cherry-pick when you want to communicate via OFW vs via email. You often write about the children via email. Plus, I often forward you invoices and announcements that cannot be forwarded via OFW. You, as in keeping with your past practice, either ignore the invoices or try to put the items in dispute with your credit card company - with no good faith basis for your "dispute" - in an effort to avoid paying.

Your refusal to pay for the children's activities mostly affects Charlotte, who -for some bizarre reason - you dislike. You have now successfully taken her out of every activity of importance and comfort to her - violin, FASNY, soccer, robotics and so much more. "Get help" as you are so fond of saying to me over and over.

Haven't you learned that you can't tie financial concessions that are unrelated? First you did it with Charlotte's FASNY enrollment, when you tried to get a financial concession from me for your agreement that she stay at FASNY, and now you are holding up the sale of NR to make me give up my right to legal fees? It's not going to happen and, as I told you, we will be filing our motion for legal fees very soon. Plus, how you can ask to be a receiver of the NR house after your delay and refusal to put it on the market with Sotheby's is laughable. Also, your failures to comply with financial discovery obligations is generating needless motions to compel, subpoenas, etc. and motions for contempt/legal fees/sanctions have been authorized against you. You brought that on yourself.

I don't consider our daughter's activities a waste of time the way you do as you say, below.

I'm glad you raised the grievance and tort issues. We both know that you have a lot of exposure on both - which is presumably why you hired Michael Ross to defend you. You made the creepy decision to surveil me for YEARS. What stable person does something like that? You also made the decision to withhold my belongings - which was inhuman. You have to live with those decisions.

But you should know that both of those actions go forward and I won't be pressured by you and your counsel's attempts to engage the divorce court to quell them. In fact, in my recent reply to Michael's "answer", I made very clear how you tried to engage the divorce court to "make your grievance go away." No one is above the law, Allan; not even you.

On Sunday, February 7, 2021, 05:39:15 PM EST, <kassenoffa@gtlaw.com> wrote:

Catherine,

As we have told you repeatedly, please only communicate with me about the children and only via the Our Family Wizard application, as per the Court Order. That being said, I will respond to your two emails today as follows but do not expect any further responses or communications from me (unless you abide by these rules set by the Court).

E*TRADE Statements: Despite your theft of the insurance reimbursement money, attached is the January E*TRADE statement.

In response to your email below:

1. Why don't you ask Charlotte yourself, rather than try to attack me. If you had, you would know that Charlotte did not want to do NYSSMA this year. And I have no interest in forcing or bullying her into doing so.
2. No.
3. After I authorized you to have access to Jojo's Google Classroom account, that was the end of my obligation to send you announcements.
4. This will not happen immediately as it is not "urgent." In fact, none of your alleged "urgent issues" are urgent. I certainly will not be paying for any work to be done on the house myself. It will be split 50/50. I could care less whether you agree to a "low" appraisal or not. My guess is you will hire your own "expert" when the neutral doesn't side with you as you have repeatedly done in this case.
5. I asked you to confirm that you will not use the fact that you need to get housing in support of a counsel's fee motion if the house sells. You have refused to do so.
6. It boggles my mind that you feel it is appropriate to waste the Court's time as well as pro bono counsel's time over things like soccer or violin. But whatever. You gave your input and I will take that into consideration.

One further point you should know and understand – I have paid a lawyer over \$11,000 to respond to you BS grievance; I am paying Gus to handle your BS tort complaint; I am paying Gus to litigate your countless appeals (including the ones that the Appellate Division just denied you leave on); I am paying Gus to handle all of the "emergency" Orders to Show Cause that Ms. Kusnetz has filed on your behalf (not one of which Judge Koba signed). You are not hurting anyone but the kids. Every penny you make me spend on your nonsense is a penny less I can spend on the kids. I don't expect you to understand or care. But maybe you will when the kids suffer.

Allan Kassenoff
Shareholder



From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Sunday, February 7, 2021 10:20 AM
To: Kassenoff, Allan (Shid-NY-IP-Tech) <KassenoffA@gtlaw.com>; Gus Dimopoulos <gd@dimolaw.com>
Subject: Various Urgent Issues

EXTERNAL TO GT

Allan -

1. Please advise why Charlotte is not doing NYSSMA this year. What performance opportunities have you given her? What about the other girls? Have they had a single performance opportunity all year?
2. Landline - now that you have taken away Ally's phone seemingly forever, how are she (and JoJo) supposed to call in an emergency? The landline needs to be restore immediately.
3. Classroom Portal for JoJo - I have not received any new announcements. Please send ASAP.
4. Appraisal of Larchmont house - what is the status? I want this to proceed immediately. Whatever happens, the house needs to undergo an appraisal during this strong market. You need to first ready the house for sale - it hasn't been painted in 6 years; you let the landscaping go; etc. I am not going to agree to a "low" appraisal - you need to take on these items first.
5. New Rochelle listing - we are now too late to list for the weekend of 2/13/21. We are missing the Spring market. If you do not agree to get this house listed with Sotheby's immediately, we will write to the court.
6. Travel Soccer for Charlotte - since you will not confirm her continued participation, we will have to write to the court. My suggestion is you actually accept my offer and pay for her to continue. What is the goal here? To take her out of every activity she ever had? And FASNY? So you will have her out of Hoff Barthelson, out of soccer, out of Robotics, out of Arabic, out of tennis, out of chorus, and out of FASNY?

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com, and do not use or disseminate the information.



Marc T. Abrams, Ph.D.
NYS Licensed Psychologist #10443
E-Mail: drmarc@bestweb.net
Telephone: (914) 666 – 2735

February 10, 2021

Honorable Nancy Quinn Koba, J.S.C.
Westchester Supreme Court
111 Dr. Martin Luther King Jr. Blvd
White Plains, NY 10601

Re: Kassenoff v Kassenoff

Your Honor:

I respectfully request the assistance of This Court in addressing an apparent “impasse” with Mrs. Kassenoff. On February 3, 2021, This Court ordered this evaluation to resume. On February 5, 2021, Mrs. Kassenoff sent an email stating the following:

“Dr. Abrams:

I am writing to find out how you wish to proceed with the above. Unfortunately, because I am in a Clinical Trial with Memorial Sloan Kettering, I am already booked up all of next week. My earliest availability is on 2/18 and 2/19.

Many thanks,

Catherine Kassenoff”

I promptly replied to her and sent the following reply to all involved, so that everyone was aware that Mrs. Kassenoff had been in compliance with the court directive and everyone had a sense of the timing of the upcoming appointment:

Mrs. Kassenoff:

Thank you for contacting me. I am genuinely sorry to hear that you are in a clinical trial at Memorial Sloan Kettering. I will tentatively schedule your first appointment for Monday, February 22, 2021 (9am. start time). Kindly have your attending physician contact me at the doctor’s earliest convenience. I need to speak to the doctor about any potential side effects from medications that might alter some aspect of your psychological functioning. Additionally, I will require a copy of a COVID-19 test that you take within two weeks of that appointment date.

Respectfully,

Dr. Abrams

118 North Bedford Road; Suite 100
Mount Kisco, NY 10549

Marc T. Abrams, Ph.D.
NYS Licensed Psychologist #10443
E-Mail: drmarc@bestweb.net
Telephone: (914) 666 – 2735

On February 9, 2021, I received the following email from Mrs. Kassenoff:

Dr. Abrams:

I can confirm 2/22 for the first appointment. I have to say that I am dismayed that you shared my personal medical information about my clinical trial with Allan, Mr. Dimopoulos, the court, Ms. Most and others. I don't think this was your information to share, and it prompted some intrusive emails from these people. An email that I had a medical excuse would have sufficed. I am not undergoing treatment or taking any medication for this trial so there is no worry about side effects from medication.

Catherine Youssef Kassenoff

I promptly replied with the following email:

Mrs. Kassenoff:

Before you can come in for your first appointment, I need to speak to the director of the clinical trial at Sloan Kettering to ascertain exactly what kind of clinical trial you are undergoing. Kindly provide me with this information, or have the director of the clinical trial email me or call me at my office.

Respectfully,

Dr. Abrams

Mrs. Kassenoff replied with the following email:

As I said, I am not undergoing treatment so there is no reason for you to speak to the director about me. Plus, I am not comfortable with that.

Here is a link to the trial: <https://clinicaltrials.gov/ct2/show/NCT04458532?term=jessica+scott&draw=2&rank=1>

I replied with the following email:

Mrs. Kassenoff:

You stated that you are undergoing a clinical trial at Sloan Kettering. You, nor anyone else for that matter, dictate how I conduct my evaluation process. As I wrote to you in my prior email, I will need to talk to the person who runs that trial PRIOR to your appointment date. You can provide me the contact information (or have the person contact me) for the head of the clinical

118 North Bedford Road; Suite 100
Mount Kisco, NY 10549

Marc T. Abrams, Ph.D.
NYS Licensed Psychologist #10443
E-Mail: drmarc@bestweb.net
Telephone: (914) 666 – 2735

trial program in a timely manner, or can be assured that I will seek the intervention of the court that you comply with this request.

Respectfully,

Dr. Abrams

Mrs. Kassenoff replied with the following email:

I will be seeking legal advice on how to address this email. I am very uncomfortable with how you handled my confidential medical information in the first instance - which you did not address in response to me. Nor have you indicated why you need to speak with a doctor who does not treat me or prescribe medication to me. I feel I am being bullied.

The Court Order appointing me to conduct an updated evaluation provides me the opportunity to speak to collateral sources whom I believe that it is important to contact. Clearly, Mrs. Kassenoff being in a clinical trial at Sloan Kettering is an important/relevant event that can have a significant impact upon her presentation and psychological functioning. I need to assess this ahead of her appointment so that this can be factored into the updated information that I will gather when she is evaluated.

I respectfully request that This Court direct Mrs. Kassenoff to fully comply with my reasonable request that I be in direct contact from people involved in the clinical trial that she is currently involved in.

Respectfully Submitted By,


Marc T. Abrams, Ph.D.

118 North Bedford Road; Suite 100
Mount Kisco, NY 10549

28

Carol Most

From: KassenoffA@gtlaw.com
Sent: Wednesday, February 10, 2021 7:52 AM
To: gd@dimolaw.com; Carol Most
Subject: Fwd: Invoices and payments

Another. It is every day.

Begin forwarded message:

From: catherine kassenoff <ckassenoff@yahoo.com>
Date: February 10, 2021 at 7:49:30 AM EST
To: Carolyn McGuffog <drmcguffog@gmail.com>
Cc: "Kassenoff, Allan (Shld-NY-IP-Tech)" <KassenoffA@gtlaw.com>
Subject: **Re: Invoices and payments**

It is not clear: you wrote both that "Allan was not in any of Ally's sessions in January" and then you wrote "Allan was with Ally" at your session on 1/27. See the problem? Please clarify and let's move on.

On Wednesday, February 10, 2021, 07:37:22 AM EST, Carolyn McGuffog <drmcguffog@gmail.com> wrote:

Catherine,

Please re-read the email I sent you on February 4, 2021 at 12:01 AM. I answered your question already.

Carolyn McGuffog

Sent from my iPhone

On Feb 10, 2021, at 7:26 AM, catherine kassenoff <ckassenoff@yahoo.com> wrote:

Please clarify - was Allan present on 1/27 when you tried to speak with Ally? She says he was there (and she wasn't happy about it). Again, I need to know this in order to get the reimbursements to which I am entitled for time he is with you.

On Saturday, February 6, 2021, 12:58:49 PM EST, Carolyn McGuffog <drmcguffog@gmail.com> wrote:

I haven't sent January yet.

Carolyn

Sent from my iPhone

On Feb 6, 2021, at 12:53 PM, catherine kassenoff
<ckassenoff@yahoo.com> wrote:

I don't have January

On Saturday, February 6, 2021, 12:52:07 PM EST, Carolyn McGuffog
<drmcguffog@gmail.com> wrote:

Catherine,

Every invoice for Ally is emailed to both you and Allan so you have them
all already.

Carolyn McGuffog

Sent from my iPhone

On Feb 6, 2021, at 12:41 PM, catherine kassenoff
<ckassenoff@yahoo.com> wrote:

Dr. McGuffog -

May I ask again for the invoices? They are paid from my
joint funds with Allan.

Many thanks,

Catherine

----- Forwarded Message -----

From: catherine kassenoff <ckassenoff@yahoo.com>
To: KassenoffA@gtlaw.com <kassenoffa@gtlaw.com>
Cc: drmcguffog@gmail.com <drmcguffog@gmail.com>
Sent: Thursday, February 4, 2021, 02:14:34 PM EST
Subject: Re: Invoices and payments

Dr. McGuffog,

To clarify, I need your January invoice, with an indication
on the invoice, for any sessions the Father attended with
Ally. I will be requesting reimbursements from Allan for
payments I am making toward his private meetings with
you and Ally - for which I am excluded.

As for a parent guidance session, I have sought
guidance from my counsel who says I am permitted to
respond with my availability for such a session. Next
week is rather difficult for me, but the week after
works. Please let me know and thank you again.

Catherine

On Thursday, February 4, 2021, 12:28:28 AM EST,
KassenoffA@gtlaw.com <kassenoffa@gtlaw.com>
wrote:

Catherine,

1. My attendance at a session has nothing to do with "payment allocation issues." I don't even know what you mean.

2. Why are you not permitted to attend a parent guidance session? There is no court order prohibiting your attendance at such a session, especially if Dr. McGuffog suggests it.

On Feb 4, 2021, at 12:24 AM, catherine kassenoff <ckassenoff@yahoo.com> wrote:

EXTERNAL TO GT

Dr McGuffog-

I am not permitted to send you emails beyond scheduling and payment issues. I needed to know what sessions Allan attended in order to determine payment allocation issues. I appreciate your recommendation regarding parent sessions but I am not permitted to address those.

On Thursday, February 4, 2021, 12:01:11 AM EST, Carolyn McGuffog <drmcguffog@gmail.com> wrote:

Catherine,

Allan was not in any of Ally's sessions in January. However, she missed her 5 pm session on 1/27 because she was at the police station. When she returned home with Alan, I offered to talk for a brief time as I had other patients scheduled. Allan was with Ally who did not want to talk about where she had been.

Catherine in my report I recommended joint parent guidance sessions. It would be much more fruitful for us all to discuss these serious issues that pertain to Ally rather than sending me emails asking for information about Allan.

Please consider this.

Carolyn McGuffog

Sent from my iPhone

On Feb 3, 2021, at 1:10 PM, catherine kassenoff <ckassenoff@yahoo.com> wrote:

Dr. McGuffog - I am following up on this. Please advise. Thank you,

Catherine

On Saturday, January 30, 2021, 08:15:50 AM EST, Catherine <ckassenoff@yahoo.com> wrote:

Dr McGuffog
Please send me your accounting for January for the above, for Ally. Please indicate all sessions in which Allan was present.
Many thanks
Catherine

Sent from my iPhone

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com, and do not use or disseminate the information.

Carol Most

From: drmarc@bestweb.net
Sent: Wednesday, February 10, 2021 4:23 PM
To: 'Maria Baratta'; 'Irene Ratner'; 'Marcia Kusnetz'; 'Gus Dimopoulos'; Carol Most
Subject: Kassenoff matter

To All Involved:

Since sending out an a letter this morning to The Court, Mrs. Kassenoff has had several email exchanges with me in which she has sought to create the impression that I had somehow misled This Court in my letter. I fully stand behind everything that I wrote in my letter. I have made it very clear to Mrs. Kassenoff that I will send a letter to This Court AFTER I have spoken with the treaters who are involved in Mrs. Kassenoff's clinical trial at Sloan Kettering. AFTER I have spoken with them. I will then confirm Mrs. Kassenoff's appointment with me.

Respectfully,

Dr. Abrams

Carol Most

From: Gus Dimopoulos <gd@dimolaw.com>
Sent: Wednesday, February 10, 2021 8:59 PM
To: 'Maria Baratta'; 'Irene Ratner'; 'Marcia Kusnetz'; Carol Most
Cc: Kassenoff, Allan (Shld-NY-IP-Tech)
Subject: RE: Kassenoff matter

Ms. Baratta,

I would respectfully request the Court conduct a conference on this matter as soon as possible - - it appears that without guidance from the court this process will be delayed unnecessarily.

From: drmarc@bestweb.net <drmarc@bestweb.net>
Sent: Wednesday, February 10, 2021 4:23 PM
To: 'Maria Baratta' <mbaratta@nycourts.gov>; 'Irene Ratner' <iratner@nycourts.gov>; 'Marcia Kusnetz' <marcia@marciakusnetzlaw.com>; Gus Dimopoulos <gd@dimolaw.com>; 'Carol W. Most' <carolmost@cwmost.com>
Subject: Kassenoff matter

To All Involved:

Since sending out an a letter this morning to The Court, Mrs. Kassenoff has had several email exchanges with me in which she has sought to create the impression that I had somehow misled This Court in my letter. I fully stand behind everything that I wrote in my letter. I have made it very clear to Mrs. Kassenoff that I will send a letter to This Court AFTER I have spoken with the treaters who are involved in Mrs. Kassenoff's clinical trial at Sloan Kettering. AFTER I have spoken with them. I will then confirm Mrs. Kassenoff's appointment with me.

Respectfully,

Dr. Abrams

THE LAW OFFICE OF MARCIA E. KUSNETZ, P.C.
ATTORNEYS AT LAW

MARCIA E. KUSNETZ, ESQ.
marcia@marciakusnetzlaw.com
mekusnetzlaw.com

2 INTERNATIONAL DRIVE, SUITE 170
RYE BROOK, NEW YORK 10573
Tel. 914-772-7933

February 10, 2021

Via e-mail and NYSCEF

Honorable Nancy Quinn Koba, J.S.C.
Westchester County Supreme Court
111 Dr. Martin Luther King Jr. Blvd.
White Plains, NY 10601
Attn.: Maria Baratta, Esq.

Re: **Kassenoff v. Kassenoff, Index No. 58217/2019**

Dear Judge Quinn-Koba:

We represent Catherine Kassenoff, and write in response to the letters sent to the Court by Dr. Abrams alleging that he reached an “impasse” with Ms. Kassenoff in connection with conducting the updated forensic evaluation. The facts establish that Ms. Kassenoff did not cause any “impasse,” as described by Dr. Abrams. The unfounded accusation against our client by the Court appointed forensic has demonstrated that he has taken an adversarial position against her, and the highly inappropriate and unduly prejudicial letters to the Court clearly exhibit Dr. Abrams’ lack of neutrality and apparent hostility toward the Mother. The behavior of the forensic defeats the premise of a neutral and unbiased report. A new forensic valuator should be appointed.

In compliance with the Court’s directive, Ms. Kassenoff contacted Dr. Abrams in order to schedule an appointment with him. In so doing, Ms. Kassenoff disclosed that she would not be available during the week that she was participating in a Clinical Trial at Memorial Sloan Kettering. Ms. Kassenoff never anticipated that Dr. Abrams would improperly disseminate her confidential medical information, other than in a protected, confidential forensic report. Instead, the forensic circulated this confidential medical information to Court personnel, Mr. Dimopoulos, the Attorney for the Children, and the Plaintiff.

Our client could neither reasonably anticipate that Dr. Abrams would disseminate her confidential medical information, without notice or her consent, nor that he would demand to speak with the medical personnel running the NIH Clinical Trial before meeting with her. Dr. Abrams claimed that he needed to speak directly with NIH Clinical Trial medical personnel (who are not my client’s treating physicians at MSK) in order to ascertain whether there were any potential side effects from any medication she may be taking during the Clinical Trial. **My client wrote back to Dr. Abrams stating, unequivocally, that she was not taking any medication in connection with the Clinical Trial, and sent Dr. Abrams the link to access the information of the Clinical Trial, which had the contact information of two doctors running the Clinical Trial.** These facts do not establish that Ms. Kassenoff caused “an impasse” or was impliedly obstructive.

Dr. Abrams crossed the line of propriety or neutrality in castigating the Mother and stating that she was not going to “dictate how [he conducts] his evaluation process.”

Dr. Abrams never informed our client that he had any difficulty in accessing the link she had provided to him to obtain the information he requested about the Clinical Trial. Instead, Dr. Abrams ran directly to the Court, improperly disseminated our client’s private medical information, and wrongfully accused her of being uncooperative.

Dr. Abrams continued to display his hostility towards Ms. Kassenoff, after she wrote to him and justifiably inquired why he had sent a letter to the Court representing that an “impasse” had been reached when the information he had requested of her was in the link provided in her prior email. Instead of acknowledging his mistake, and issuing an apology, Dr. Abrams wrote an angry response insisting that he “stands by” the representation he made. Dr. Abrams inexplicably wrote the Court, again, that he would update the Court *after* speaking with the doctors involved in the Clinical Trial, and only *after* speaking to the medical personnel would he continue with Ms. Kassenoff’s interview. We believe that Dr. Abrams thought, by demanding to speak to the medical personnel running the NIH Clinical Trial, that he had caught Ms. Kassenoff in a lie, and by disseminating her email, he wanted everyone to know that he had ensnared her. Dr. Abrams was wrong on all accounts. What is clear here, is that Dr. Abrams, in an unprofessional, unethical and openly hostile manner, disseminated our client’s personal medical information and falsely accused her of obstruction. The communications are appended hereto. Given his clear bias, the Court should not continue this forensic evaluation with Dr. Abrams. A new neutral should be appointed.

This biased behavior of the forensic is also evident in his prior communication to the Court (before the interim stay of the Appellate Division was granted by Judge Christopher). In that communication, Dr. Abrams appended his emails with the Mother, appended hereto, which show he had scheduled her interviews for January 8 and January 11. The forensic also requested a third evaluation date. Dr. Abrams subsequently sent a hostile email on December 29, in the middle of the holidays, demanding to know why his email from the day before had not been responded to. Contrary to that assertion, Ms. Kassenoff had, in fact, responded. I then responded to Dr. Abrams on December 31, 2020, stating that my client was available for a previously suggested date for the third interview, which would include the children. That email went unanswered. Additionally, my co-counsel, Ms. Cohen, sent Dr. Abrams an email with voluminous materials for him to review on the evening of January 6, 2021. This was accomplished as we believed that Ms. Kassenoff’s first appointment with Dr. Abrams was proceeding on January 8. There was clearly no obstruction or lack of cooperation by my client as falsely asserted by Dr. Abrams to the Court.

The Mother requested that her interviews with Dr. Abrams be held virtually, given the pandemic and her underlying medical conditions. In that same email where Dr. Abrams scheduled the interviews of the Mother for January 8 and 11, he cited “ethical concerns” as a reason the

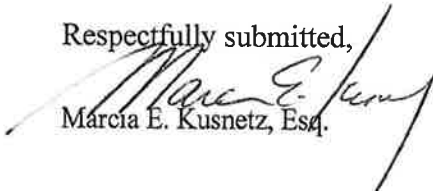
Kassenoff v. Kassenoff
Page 3.

meetings had to take place in person, in his small office, rather than virtually. Due to this ethical objection raised by Dr. Abrams, my co-counsel and I investigated this issue. We learned that nearly all forensic examinations in Westchester County and New York City are taking place virtually, due to the pandemic, without any objection based on "ethical concerns." So, too, the UK Covid strain that is more contagious, known to be in the New York City area, makes our client even more exposed and vulnerable. As a cancer survivor, Ms. Kassenoff is considered to be "high risk" if she were to contract Covid-19. We also considered that many medical professionals are currently using telehealth services to treat their patients. In light of what we learned, it does not appear to be reasonable for the forensic to deny my client's request to appear virtually for the interviews. The reasonable request made of the forensic, for virtually conducted interviews, is unfairly cast by him as "delay" or lack of cooperation.

We ask that the Court direct that the forensic interviews be conducted virtually. The Court should disregard Dr. Abrams's recent unprofessional rant that no one can tell him how to conduct his evaluation. The Court can certainly protect the Mother's health and welfare in this regard.

Thanking the Court for its consideration.

Respectfully submitted,


Marcia E. Kusnetz, Esq.

cc: Gus Dimopoulos, Esq.
Carol Most, Esq.
Lisa Vara, Esq.
Ruchama Cohen, Esq.
Diane Steiner, Esq.
Catherine Kassenoff

Kassenoff matter

drmarc@bestweb.net <drmarc@bestweb.net>

Wed 2/10/2021 4:22 PM

To: 'Maria Baratta' <mbaratta@nycourts.gov>; 'Irene Ratner' <iratner@nycourts.gov>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>; 'Gus Dimopoulos' <gd@dimolaw.com>; 'Carol W. Most' <carolmost@cwmost.com>

To All Involved:

Since sending out an a letter this morning to The Court, Mrs. Kassenóff has had several email exchanges with me in which she has sought to create the impression that I had somehow misled This Court in my letter. I fully stand behind everything that I wrote in my letter. I have made it very clear to Mrs. Kassenoff that I will send a letter to This Court AFTER I have spoken with the treaters who are involved in Mrs. Kassenoff's clinical trial at Sloan Kettering. AFTER I have spoken with them. I will then confirm Mrs. Kassenoff's appointment with me.

Respectfully,

Dr. Abrams

Lisa Vara

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Wednesday, February 10, 2021 12:50 PM
To: Lisa Vara
Subject: Fw: Updated Forensic

----- Forwarded Message -----

From: drmarc@bestweb.net <drmarc@bestweb.net>
To: 'catherine kassenoff' <ckassenoff@yahoo.com>
Sent: Wednesday, February 10, 2021, 12:47:21 PM EST
Subject: RE: Updated Forensic

Mrs. Kassenoff:

I am done with this email chain. I will update The Court when I am done communicating with the people from Sloan Kettering. My letter to The Court was entirely accurate.

Respectfully,

Dr. Abrams

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Wednesday, February 10, 2021 12:45 PM
To: drmarc@bestweb.net
Subject: Re: Updated Forensic

I am asking that you first correct the misimpression you gave the court that I did not give you the information you requested, when I did.

On Wednesday, February 10, 2021, 12:39:59 PM EST, drmarc@bestweb.net <drmarc@bestweb.net> wrote:

Mrs. Kassenoff:

Please reread my prior email to you.

I look forward to receiving a copy of the HIPPA release(s) of information for Sloan Kettering so that I can communicate directly with the people involved in your participation in that trial. When I am done communicating with them, I will advise The Court of a change in status.

Respectfully,

Dr. Abrams

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Wednesday, February 10, 2021 11:33 AM
To: drmarc@bestweb.net
Subject: Re: Updated Forensic

Why didn't you tell me you needed a name and password? When I click on the link, I go right to the clinical trial - which answers all your question, Dr. Abrams.

Please correct this with the court now. And you need to please stop giving out more information about the trial to third parties.

On Wednesday, February 10, 2021, 11:13:46 AM EST, drmarc@bestweb.net <drmarc@bestweb.net> wrote:

Mrs. Kassenoff:

1. The link that you sent me required a name and password which was not provided.

2. My stated requirement stands as is. I would like you to get a HIPPA release of information for Sloan Kettering so that I can communicate with the people involved in your participation. Doing so in a timely manner can ensure that the tentative appointment time that I am still holding can be confirmed.
3. Your claim of my revealing confidential medical information without your consent is incorrect.

Respectfully,

Dr. Abrams

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Wednesday, February 10, 2021 11:08 AM
To: drmarc@bestweb.net
Subject: Re: Updated Forensic

Why didn't you open the link I sent you that contains the contact information for the doctors you wanted to "speak to" about my "psychological function" even though I told you that (1) there is no treatment in this trial and (2) there is no medication in this trial (which were your justifications)?

I paste below from the link I sent you, which also makes clear that there is no treatment and no medication, as I said to you several times now. You really should correct your "impasse" email to the court.

And, once again, you reveal confidential medical information without my consent.

[REDACTED]

[REDACTED]

[REDACTED]

Mrs. Kassenoff:

You stated that you are undergoing a clinical trial at Sloan Kettering. You, nor anyone else for that matter, dictate how I conduct my evaluation process. As I wrote to you in my prior email, I will need to talk to the person who runs that trial PRIOR to your appointment date. You can provide me the contact information (or have the person contact me) for the head of the clinical trial program in a timely manner, or can be assured that I will seek the intervention of the court that you comply with this request.

Respectfully,

Dr. Abrams

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Tuesday, February 9, 2021 3:14 PM
To: Drmarc <drmarc@bestweb.net>
Subject: Re: Updated Forensic

As I said, I am not undergoing treatment so there is no reason for you to speak to the director about me. Plus, I am not comfortable with that.

Here is a link to the trial: <https://clinicaltrials.gov/ct2/show/NCT04458532?term=jessica+scott&draw=2&rank=1>

On Tuesday, February 9, 2021, 12:48:45 PM EST, drmarc@bestweb.net <drmarc@bestweb.net> wrote:

Mrs. Kassenoff:

Before you can come in for your first appointment, I need to speak to the director of the clinical trial at Sloan Kettering to ascertain exactly what kind of clinical trial you are undergoing. Kindly provide me with this information, or have the director of the clinical trial email me or call me at my office.

Respectfully,

Dr. Abrams

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Tuesday, February 9, 2021 11:37 AM
To: drmarc@bestweb.net
Subject: Re: Updated Forensic

Dr. Abrams:

I can confirm 2/22 for the first appointment. I have to say that I am dismayed that you shared my personal medical information about my clinical trial with Allan, Mr. Dimopoulos, the court, Ms. Most and others. I don't think this was your information to share, and it prompted some intrusive emails from these people. An email that I had a medical excuse would have sufficed. I am not undergoing treatment or taking any medication for this trial so there is no worry about side effects from medication.

Catherine Youssef Kassenoff

On Friday, February 5, 2021, 04:51:46 PM EST, <drmarc@bestweb.net> wrote:

Mrs. Kassenoff:

Thank you for contacting me. I am genuinely sorry to hear that you are in a clinical trial at Memorial Sloan Kettering. I will tentatively schedule your first appointment for Monday, February 22, 2021 (9am. start time). Kindly have your attending physician contact me at the doctor's earliest convenience. I need to speak to the doctor about any potential side effects from medications that might alter some aspect of your psychological functioning. Additionally, I will require a copy of a covid test that you take within two weeks of that appointment date.

Respectfully,

Dr. Abrams

Marc T. Abrams, Ph.D.
NYS Licensed Psychologist #10443
E-Mail: drmarc@bestweb.net
Telephone: (914) 666 – 2735

February 10, 2021

Honorable Nancy Quinn Koba, J.S.C.
Westchester Supreme Court
111 Dr. Martin Luther King Jr. Blvd
White Plains, NY 10601

Re: Kassenoff v Kassenoff

Your Honor:

I respectfully request the assistance of This Court in addressing an apparent "impasse" with Mrs. Kassenoff. On February 3, 2021, This Court ordered this evaluation to resume. On February 5, 2021, Mrs. Kassenoff sent an email stating the following:

"Dr. Abrams:

I am writing to find out how you wish to proceed with the above. Unfortunately, because I am in a Clinical Trial with Memorial Sloan Kettering, I am already booked up all of next week. My earliest availability is on 2/18 and 2/19.

Many thanks,

Catherine Kassenoff"

I promptly replied to her and sent the following reply to all involved, so that everyone was aware that Mrs. Kassenoff had been in compliance with the court directive and everyone had a sense of the timing of the upcoming appointment:

Mrs. Kassenoff:

Thank you for contacting me. I am genuinely sorry to hear that you are in a clinical trial at Memorial Sloan Kettering. I will tentatively schedule your first appointment for Monday, February 22, 2021 (9am. start time). Kindly have your attending physician contact me at the doctor's earliest convenience. I need to speak to the doctor about any potential side effects from medications that might alter some aspect of your psychological functioning. Additionally, I will require a copy of a COVID-19 test that you take within two weeks of that appointment date.

Respectfully,

Dr. Abrams

**118 North Bedford Road; Suite 100
Mount Kisco, NY 10549**

Marc T. Abrams, Ph.D.
NYS Licensed Psychologist #10443
E-Mail: drmarc@bestweb.net
Telephone: (914) 666 – 2735

On February 9, 2021, I received the following email from Mrs. Kassenoff:

Dr. Abrams:

I can confirm 2/22 for the first appointment. I have to say that I am dismayed that you shared my personal medical information about my clinical trial with Allan, Mr. Dimopoulos, the court, Ms. Most and others. I don't think this was your information to share, and it prompted some intrusive emails from these people. An email that I had a medical excuse would have sufficed. I am not undergoing treatment or taking any medication for this trial so there is no worry about side effects from medication.

Catherine Youssef Kassenoff

I promptly replied with the following email:

Mrs. Kassenoff:

Before you can come in for your first appointment, I need to speak to the director of the clinical trial at Sloan Kettering to ascertain exactly what kind of clinical trial you are undergoing. Kindly provide me with this information, or have the director of the clinical trial email me or call me at my office.

Respectfully,

Dr. Abrams

Mrs. Kassenoff replied with the following email:

As I said, I am not undergoing treatment so there is no reason for you to speak to the director about me. Plus, I am not comfortable with that.

Here is a link to the trial: <https://clinicaltrials.gov/ct2/show/NCCT04458532?term=jessica+scott&draw=2&rank=1>

I replied with the following email:

Mrs. Kassenoff:

You stated that you are undergoing a clinical trial at Sloan Kettering. You, nor anyone else for that matter, dictate how I conduct my evaluation process. As I wrote to you in my prior email, I will need to talk to the person who runs that trial PRIOR to your appointment date. You can provide me the contact information (or have the person contact me) for the head of the clinical

**118 North Bedford Road; Suite 100
Mount Kisco, NY 10549**

Marc T. Abrams, Ph.D.
NYS Licensed Psychologist #10443
E-Mail: drmarc@bestweb.net
Telephone: (914) 666 – 2735

trial program in a timely manner, or can be assured that I will seek the intervention of the court that you comply with this request.

Respectfully,

Dr. Abrams

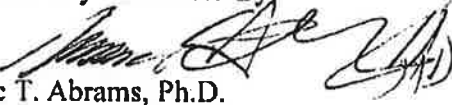
Mrs. Kassenoff replied with the following email:

I will be seeking legal advice on how to address this email. I am very uncomfortable with how you handled my confidential medical information in the first instance - which you did not address in response to me. Nor have you indicated why you need to speak with a doctor who does not treat me or prescribe medication to me. I feel I am being bullied.

The Court Order appointing me to conduct an updated evaluation provides me the opportunity to speak to collateral sources whom I believe that it is important to contact. Clearly, Mrs. Kassenoff being in a clinical trial at Sloan Kettering is an important/relevant event that can have a significant impact upon her presentation and psychological functioning. I need to assess this ahead of her appointment so that this can be factored into the updated information that I will gather when she is evaluated.

I respectfully request that This Court direct Mrs. Kassenoff to fully comply with my reasonable request that I be in direct contact from people involved in the clinical trial that she is currently involved in.

Respectfully Submitted By


Marc T. Abrams, Ph.D.

118 North Bedford Road; Suite 100
Mount Kisco, NY 10549

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Friday, February 5, 2021 3:52 PM
To: Drmarc <dmarc@bestweb.net>
Subject: Updated Forensic

Dr. Abrams:

I am writing to find out how you wish to proceed with the above. Unfortunately, because I am in a Clinical Trial with Memorial Sloan Kettering, I am already booked up all of next week. My earliest availability is on 2/18 and 2/19.

Many thanks,

Catherine Kassenoff

RE: 58217/2020 Kassenoff v Kassenoff

drmarc@bestweb.net <drmarc@bestweb.net>

Fri 2/5/2021 4:53 PM

To: 'Maria Baratta' <mbaratta@nycourts.gov>; 'Gus Dimopoulos' <gd@dimolaw.com>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>; 'Carol W. Most' <carolmost@cwmost.com>; 'Ruchama Cohen' <rcohen@sffny.org>; 'Lisa Vara' <lvaragulmez@sffny.org>; 'Michael Chiaramonte' <mc@dimolaw.com>
Cc: 'Irene Ratner' <iratner@nycourts.gov>

To All Parties:

1. Mr. Kassenoff had already been in compliance with his prior appointments. If I need to schedule another session with him, I will reach out to him then.
2. Mrs. Kassenoff sent me the following e-mail to me 3:52 pm.:

Dr. Abrams:

I am writing to find out how you wish to proceed with the above. Unfortunately, because I am in a Clinical Trial with Memorial Sloan Kettering, I am already booked up all of next week. My earliest availability is on 2/18 and 2/19.

Many thanks,

Catherine Kassenoff

3. My Response to her e-mail is as follows:

Mrs. Kassenoff:

Thank you for contacting me. I am genuinely sorry to hear that you are in a clinical trial at Memorial Sloan Kettering. I will tentatively schedule your first appointment for Monday, February 22, 2021 (9am. start time). Kindly have your attending physician contact me at the doctor's earliest convenience. I need to speak to the doctor about any potential side effects from medications that might alter some aspect of your psychological functioning. Additionally, I will require a copy of a covid test that you take within two weeks of that appointment date.

Respectfully,

Dr. Abrams

I hope that this satisfies any questions or concerns that any party might have. If further clarification is required, please do not hesitate to contact me. I hope that every is safe and healthy and has a nice weekend.

Respectfully,

Dr. Abrams

From: Maria Baratta <mbaratta@nycourts.gov>

Sent: Wednesday, February 3, 2021 4:20 PM

To: Marc Abrams <Drmarc@bestweb.net>; Gus Dimopoulos <gd@dimolaw.com>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Carol W. Most <carolmost@cwmost.com>; Ruchama Cohen <rcohen@sffny.org>; Lisa Vara <lvaragulmez@sffny.org>; Michael Chiaramonte <mc@dimolaw.com>

Cc: Irene Ratner <iratner@nycourts.gov>

Subject: 58217/2020 Kassenoff v Kassenoff

Dear Dr. Abrams and counsel:

On behalf of Judge Koba, please be advised that that Dr. Abrams is to immediately resume the supplemental forensic evaluation in the above referenced matter pursuant to the Court's November 19, 2020 order.

Counsel are advised that any party who has not been in contact with Dr. Abrams to complete the updated neutral forensic evaluation shall contact Dr. Abrams no later than 5:00 p.m. on Friday, February 5, 2021 to resume the evaluation.

If said parties have not contacted Dr. Abrams by February 5, 2021, Dr. Abrams shall notify the Court regarding the failure to comply with this directive.

Dr. Abrams and counsel are to acknowledge receipt of this communication.

Maria Baratta
Assistant Law Clerk to the Hon. Nancy Quinn Koba
Westchester County Supreme Court
111 Dr. Martin Luther King Jr. Blvd
White Plains, NY 10601
914-824-5486
mbaratta@nycourts.gov

NOTICE: RECORDING, BROADCASTING, OR STREAMING OF COURT PROCEEDINGS IS PROHIBITED (RULES OF THE CHIEF JUDGE 29.1).

NOTICE: COUNSEL ARE DIRECTED TO FORWARD ANY MICROSOFT TEAMS LINK TO ANY AND ALL PERSONS ENTITLED TO NOTICE. BE ADVISED, ALL PARTICIPANTS ARE TO CONDUCT A TEST 24 HOURS PRIOR TO SCHEDULED APPEARANCES. TO CONDUCT A TEST, MICROSOFT TEAMS MUST BE INSTALLED ON YOUR MACHINE. INSTRUCTIONS ON HOW TO DOWNLOAD MICROSOFT TEAMS AND CONDUCT A TEST ON YOUR MACHINE CAN BE FOUND AT: <https://portal.nycourts.gov/knowledgebase/article/KA-01071/en-us>.

NOTICE: UNLESS EXPRESSLY AUTHORIZED BY THE COURT ATTORNEY REFEREE OR MATRIMONIAL PART JUSTICE TO WHOM IT IS DIRECTED, OR UNLESS SPECIFICALLY AUTHORIZED BY THE WESTCHESTER SUPREME COURT MATRIMONIAL PART OPERATIONAL RULES, NO LETTER OR OTHER WRITTEN COMMUNICATION IS TO BE TRANSMITTED TO THE MATRIMONIAL PART BY ANY MEANS OF TRANSMISSION (SEE WESTCHESTER SUPREME COURT MATRIMONIAL PART OPERATIONAL RULES § [J] [2]). ANY WRITTEN COMMUNICATION SENT IN VIOLATION OF THE RULES WILL NOT BE REVIEWED OR RESPONDED TO BY THE COURT.

Marc T. Abrams, Ph.D.
NYS Licensed Psychologist #10443
E-Mail: drmarc@bestweb.net
Telephone: (914) 666 – 2735

January 7, 2021

The Honorable Nancy Quinn Koba, J.S.C.
Supreme Court for the State of New York

Re.: Kassenoff v Kassenoff: Index Number 58217/2019

Your Honor:

I respectfully seek guidance from This Court in what has becoming a scheduling “problem” with Mrs. Kassenoff. I have enclosed the email correspondences with this letter so that This Court can understand the current “problem”.

On December 23, 2020, I emailed Mrs. Kassenoff in order to schedule her appointments for the updated evaluation. Through the various communications, I tentatively scheduled her appointment dates. She requested that the evaluation occur via a video-conferencing platform. I respectfully advised her that I do not do that for a variety of reasons. I requested that she confirm these arrangements several times and I have not received a definitive response.

I communicated this problem with her counsel in hopes that this situation could be respectfully resolved. Please note in Ms. Kusnetz’s email to me this morning, that she is claiming that Mrs. Kassenoff was not responsible for any delays and had responded back to me. These email chains clearly indicate that in fact, Mrs. Kassenoff did not confirm my stated arrangements. In her email to me, Ms. Kusnetz even opined on the ethical appropriateness of my unwillingness to conduct an evaluation via video platform. To complicate things even further, Mrs. Kusnetz is now asking that I use a video-conferencing platform.

I do not want to have any unnecessary delays occur with this updated evaluation and would appreciate a timely response to this current “problem”.

Sincerely,



Marc T. Abrams, Ph.D.

118 North Bedford Road; Suite 100
Mount Kisco, NY 10549

drmarc@bestweb.net

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Thursday, January 7, 2021 10:19 AM
To: drmarc@bestweb.net
Cc: Lisa Vara; Ruchama Cohen; Diane Steiner
Subject: Fw: Updated Evaluation

Dr. Abrams, My client has responded to you, and so have I. She has not caused any delay. It was our understanding that the 8th and 11th were reserved interview dates for our client, and I wrote to you last week about the third date. To which you did not respond. My client has requested that the interviews of her be conducted via Zoom, and that is our position as well. I am aware of no ethical barriers to conducting her interview tomorrow and on Monday via Zoom, as this is regularly occurring in other forensic evaluations proceeding during this pandemic. First and foremost, as she has communicated, she has several serious underlying conditions and does not feel comfortable going to your office. As a separate matter, Catherine adopted a rescue puppy a short while back, who cannot be left alone in the house for an entire day. So, we are asking, without my having to write to the Court today, that you proceed with Catherine's interview tomorrow and Monday via Zoom.

Marcia E. Kusnetz

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Thursday, December 31, 2020 10:50 AM
To: drmarc@bestweb.net <drmarc@bestweb.net>; 'catherine kassenoff' <ckassenoff@yahoo.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>; Diane Steiner <dsteiner@sffny.org>
Subject: Re: Updated Evaluation

Dr. Abrams, much is happening in the financial portion of the case during the first two weeks of January, and there are Court Ordered deadlines to meet. My understanding is that you need one further date to observe the children with Catherine, and cannot do so during a supervised visit at her home. You both listed January 13 as an available date. Is that still available?

Marcia E. Kusnetz

From: drmarc@bestweb.net <drmarc@bestweb.net>
Sent: Tuesday, December 29, 2020 9:19 AM
To: 'catherine kassenoff' <ckassenoff@yahoo.com>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Subject: FW: Updated Evaluation

Mrs. Kassenoff & Ms. Kusnetz:

It is unclear to me as to why Mrs. Kassenoff is not responding to my last email. I would greatly appreciate it, if I can get a response in a timely manner.

Respectfully,

Dr. Abrams

Appointments

drmarc@bestweb.net <drmarc@bestweb.net>

Thu 1/7/2021 8:46 AM

To: rcohen@sffny.org <rcohen@sffny.org>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>

Counsel:

I began communications with your client on 12/23/2020 in order to schedule the updated evaluation. I directly asked her to confirm the arrangements for the first two appointments. To date, she has yet to respond. Her first appointment was supposed to be tomorrow. I also needed her confirmation so that I could seek permission from the court in order to arrange for a interaction session to take place at my location.

Needless to say, in absence of her confirmation of anything, her appointments remain unconfirmed. My schedule has a substantial backlog of cases and I do not leave open days in my schedule. If and when your client is ready to confirm the arrangements that I had outlined in prior emails, I will then schedule her in for the earliest openings in my schedule.

I would greatly appreciate it if you can communicate with your client so that there are no further unnecessary delays.

Respectfully,

Dr. Abrams

Lisa Vara

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Thursday, December 31, 2020 10:51 AM
To: drmarc@bestweb.net; 'catherine kassenoff'; Lisa Vara; Ruchama Cohen; Diane Steiner
Subject: Re: Updated Evaluation

Dr. Abrams, much is happening in the financial portion of the case during the first two weeks of January, and there are Court Ordered deadlines to meet. My understanding is that you need one further date to observe the children with Catherine, and cannot do so during a supervised visit at her home. You both listed January 13 as an available date. Is that still available?

Marcia E. Kusnetz

From: drmarc@bestweb.net <drmarc@bestweb.net>
Sent: Tuesday, December 29, 2020 9:19 AM
To: 'catherine kassenoff' <ckassenoff@yahoo.com>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Subject: FW: Updated Evaluation

Mrs. Kassenoff & Ms. Kusnetz:

It is unclear to me as to why Mrs. Kassenoff is not responding to my last email. I would greatly appreciate it, if I can get a response in a timely manner.

Respectfully,

Dr. Abrams

From: drmarc@bestweb.net <drmarc@bestweb.net>
Sent: Monday, December 28, 2020 1:53 PM
To: 'catherine kassenoff' <ckassenoff@yahoo.com>
Subject: FW: Updated Evaluation

Your check has been received.

Kindly confirm the arrangements from my prior e-mail so that I can write to The Court.

Respectfully,

Dr. Abrams

From: drmarc@bestweb.net <drmarc@bestweb.net>
Sent: Wednesday, December 23, 2020 4:34 PM
To: 'catherine kassenoff' <ckassenoff@yahoo.com>
Subject: RE: Updated Evaluation

Mrs. Kassenoff:

I will schedule your first two appointments for 1/8 & 1/11, starting at 9am. each day. My appointments are done in my office due to ethical concerns. I get tested on a regular basis. There is a mask policy in the building, along with sanitizing stations (I have a sanitizers in my office as well) in addition to daily whole office suite cleaning in the evenings. I, like you, cannot afford to get this virus and take any and all necessary precautions. That is why a person has to come in with a clean covid test and then have no questionable contacts between the testing and the appointment. I monitor the stats on a daily basis and will close my office if there are any circumstances that warrant that level of strictness. I have been operating under my strict guidelines successfully for over six months now and modify my guidelines based upon the latest news, research and guidelines that I can obtain.

I will save the 14th for any added time and for the interaction session the children's interviews. As to the supervised visits with the children, I will contact The Court directly to try and arrange for an in-office interaction session (like last time) under a strict protocol. The Courts have typically been willing to allow me to conduct these types of evaluations under similar restrictions in the past. I believe that it is very important that I directly be observing real-life interactions between a parent and children. Given the circumstances that you have informed me about, I would guess that you would genuinely appreciate being able to see your children in person.

If those conditions are acceptable to you, please let me know and I will contact The Court and ask for permission to allow a face-to-face interaction session.

Respectfully,

Dr. Abrams

From: catherine kassenoff <ckassenoff@yahoo.com>

Sent: Wednesday, December 23, 2020 4:18 PM

To: drmarc@bestweb.net

Subject: Re: Updated Evaluation

Dr. Abrams,

I am also available on 1/11 and 1/13. Court-ordered therapeutic supervision is as follows: the children and I can visit for the maximum of two hours on Tuesday evenings and two hours on Saturday mornings. Ms. Chava White, of Comprehensive Family Services, is the Therapeutic Supervisor. I am not permitted to vary this schedule to see the girls at your office. Would you consider coming to (or zooming into) one of the scheduled supervised therapeutic visits during your period of review of this matter?

With regard to my interview with you, given my underlying health conditions and the present rise in COVID cases, would you consider a Zoom call interview instead of an in person interview?

Many thanks,
Catherine Kassenoff

On Wednesday, December 23, 2020, 01:41:01 PM EST, drmarc@bestweb.net <drmarc@bestweb.net> wrote:

Mrs. Kassenoff:

I have a court-ordered deadline of 2/8/21 for a report to have been received. I would appreciate it, if you can make another date available. 12/27/12/30/20 & 1/4, 5, 6, 7, 11, 12, 13/21 are currently being held for this updated matter and another updated matter. Kindly let me know what other date you could be available for. Please remember to have a COVID test within two weeks of your first appointment (and also not having been potentially exposed between the testing and your first appointment.

What is the status in regards to your visitation with the children, so that I can arrange for the interaction session and interviews with the children?

You will be notified once the check is received. Thank you.

Respectfully,

Dr. Abrams

From: catherine kassenoff <ckassenoff@yahoo.com>

Sent: Wednesday, December 23, 2020 1:32 PM

To: drmarc@bestweb.net

Subject: Re: Updated Evaluation

Dr Abrams,

I mailed a check for \$2,000 to you today. Please confirm receipt once you get it. In terms of dates for a full-day interview, I can offer 1/8/21 and 1/14/21. Please let me know what works with your schedule.

Many thanks,

Catherine Kassenoff

On Wednesday, December 23, 2020, 01:05:58 PM EST, <drmarc@bestweb.net> wrote:

118 North Bedford Road, Suite 100. Mount Kisco, New York 10549

Respectfully,

Dr. Abrams

From: catherine kassenoff <ckassenoff@yahoo.com>

Sent: Wednesday, December 23, 2020 12:25 PM

To: drmarc@bestweb.net

Subject: Re: Updated Evaluation

Mailing address pls

On Friday, December 18, 2020, 03:49:54 PM EST, <drmarc@bestweb.net> wrote:

Mrs. Kassenoff:

Please have a covid-19 test within two weeks of our first meeting. I should be ready to start this process during the last week of December/first week of January. We will likely require two full days. Please let me know what your availability is for the last week of December through the first two weeks of January 2021.

I have not received your retainer check yet. Kindly mail it to me as soon as possible.

Respectfully,

Dr. Abrams

Carol Most

From: Catherine <ckassenoff@yahoo.com>
Sent: Thursday, February 11, 2021 12:48 PM
To: KassenoffA@gtlaw.com
Cc: Carol Most; Lisa Vara
Subject: Re: Monies Past Due for Psychological Services Rendered

You bcc'ed Dr MCGuffog saying I "stole" money? Should I let her know you lied to the court about paying our mortgage and for our entire marriage you secreted hundreds of thousands of dollars of marital income into your secret slush fund? Should I tell her you make a million dollars a year and I Make thirteen percent of our total income? You don't get to denigrate and abuse me anymore.

Sent from my iPhone

> On Feb 11, 2021, at 12:33 PM, KassenoffA@gtlaw.com wrote:

>

> -Dr. McGuffog.

>

> Carol, we need to get a Court order requiring Catherine to return the over \$20K she stole from the insurance reimbursements (in addition to the money I paid from non-marital assets to Dr. Ravitz).

>

> Allan Kassenoff

> Shareholder

>

> Greenberg Traurig, LLP

> MetLife Building | 200 Park Avenue | New York, NY 10166 T +1

> 212.801.2157 | F +1 212.805.9407 | C +1 917.623.8353

> KassenoffA@gtlaw.com | www.gtlaw.com

>

> -----Original Message-----

> From: Carolyn McGuffog <drmcguffog@gmail.com>

> Sent: Thursday, February 11, 2021 12:29 PM

> To: Kassenoff, Allan (Shld-NY-IP-Tech) <KassenoffA@gtlaw.com>; Carol

> Most <carolmost@cwmost.com>; catherine kassenoff

> <ckassenoff@yahoo.com>

> Subject: Monies Past Due for Psychological Services Rendered

>

> *EXTERNAL TO GT*

>

> Allan and Catherine,

>

> Please note as of January 31, 2021, \$15,400 is past due for psychological services rendered to Alexandra Kassenoff. This figure includes cost of the Neuropsychological Evaluation.

>

> Carolyn McGuffog

>

> Sent from my iPhone

>

> -----

> If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com, and do not use or disseminate the information.

Carol Most

From: KassenoffA@gtlaw.com
Sent: Thursday, February 11, 2021 1:50 PM
To: gd@dimolaw.com; Carol Most
Subject: FW: URGENT Mortgage non-payments

She is insane. But let's keep pushing out the trial date further and further. After all, how much damage could she do to the kids.

Allan Kassenoff
 Shareholder

Greenberg Traurig, LLP
 MetLife Building | 200 Park Avenue | New York, NY 10166
 T +1 212.801.2157 | F +1 212.805.9407 | C +1 917.623.8353
KassenoffA@gtlaw.com | www.gtlaw.com | [View GT Biography](#)



From: Catherine <ckassenoff@yahoo.com>
Sent: Thursday, February 11, 2021 1:49 PM
To: Kassenoff, Allan (Shld-NY-IP-Tech) <KassenoffA@gtlaw.com>
Cc: gd@dimolaw.com; lvaragulmez@sffny.org; marcia@marciakusnetzlaw.com; rcohen@sffny.org
Subject: Re: URGENT Mortgage non-payments

You and your counsel lied to the court, claiming you were "paying all the mortgages and all the expenses". I demand a copy of the applications you filed to put these mortgages into forebearance, to ensure you did not commit any fraud.

Sent from my iPhone

On Feb 11, 2021, at 1:27 PM, KassenoffA@gtlaw.com wrote:

Catherine,

As a preliminary matter, you are equally liable to pay the New Rochelle mortgage (as well as the Larchmont mortgage for that matter) and there is no Court order requiring me to pay anything towards either mortgage. In any event, I recently put the New Rochelle mortgage on hold in light of Covid. I am trying to save money to pay all of the expenses for the children as well as the astronomical legal fees I am incurring due to the frivolous action you filed against Gus and me in Brooklyn; the frivolous grievance you filed; the countless appeals you are filing; the countless emergency OTSCs that you are filing; etc. The mortgage will be paid off in full at closing.

I am curious -- and concerned -- as to how you have a copy of that statement that was sent to the Larchmont address.

Allan Kassenoff
Shareholder

Greenberg Traurig, LLP
MetLife Building | 200 Park Avenue | New York, NY 10166
T +1 212.801.2157 | F +1 212.805.9407 | C +1 917.623.8353
KassenoffA@gtlaw.com | www.gtlaw.com | [View GT Biography](#)

<image001.png>

From: Catherine <ckassenoff@yahoo.com>

Sent: Thursday, February 11, 2021 12:19 PM

To: Kassenoff, Allan (Shld-NY-IP-Tech) <KassenoffA@gtlaw.com>; Gus Dimopoulos <gd@dimolaw.com>;
Lisa Vara <lvaragulmez@sffny.org>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Ruchama Cohen
<rcohen@sffny.org>

Subject: URGENT Mortgage non-payments

EXTERNAL TO GT

Allan -

Why are you not paying the New Rochelle mortgage?? Why am I seeing in the attached invoice from Wells Fargo that you owe \$36,000 for non payment since August 2020?? Did you lie to the court when you said you "pay everything"? Is this house going into foreclosure next? How will we be able to sell it if you aren't paying the mortgage? Unbelievable.

<image002.jpg>

Sent from my iPhone

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com, and do not use or disseminate the information.

Carol Most

From: Irene Ratner <iratner@nycourts.gov>
Sent: Monday, February 15, 2021 4:58 PM
To: Gus Dimopoulos; Marcia Kusnetz
Cc: Carol Most; Lisa Vara; Ruchama Cohen; Diane Steiner
Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019

My recollection is that judge Koba granted defendant the right to make a motion for a new attorney for Ally.
Not sure what date.
IR

Get [Outlook for iOS](#)

From: Gus Dimopoulos <gd@dimolaw.com>
Sent: Monday, February 15, 2021 4:50:24 PM
To: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Irene Ratner <iratner@nycourts.gov>
Cc: Carol Most <carolmost@cwmost.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>; Diane Steiner <dsteiner@sffny.org>
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Referee Ratner:

I have no idea what Ms. Kusnetz is talking about -- as I have no record of her obtaining approval to file either motion. First, our final discovery production to counsel within the last 10 days and we have received no deficiency request nor have any issues been raised -- so how can she have authority to file a motion to compel? Also, I have no record of her receiving authority to file a motion to have a new attorney appointed for Ally. Perhaps I missed something, but I will need to see a transcript or signed Rule E to prove otherwise.

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Monday, February 15, 2021 3:34 PM
To: Irene Ratner <iratner@nycourts.gov>; Gus Dimopoulos <gd@dimolaw.com>
Cc: Carol Most <carolmost@cwmost.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>; Diane Steiner <dsteiner@sffny.org>
Subject: Kassenoff v. Kassenoff Index No. 58217/2019

Referee and Counsel, I am asking for an extension of time to file the Motions to Compel and Motion to hire private counsel for Alexandra Kassenoff from Tuesday February 16 to Thursday February 18, 2021. I am engaged in a trial before Judge Ondrovic tomorrow February 16, 2021 through the 19th, and the trial preparation has impeded my ability to finalize the two applications for which we were granted Rule E Authorization.

Thank you,
Marcia E. Kusnetz, Esq.

Please be CAREFUL when clicking links or opening attachments from external senders.

Carol Most

From: Gus Dimopoulos <gd@dimolaw.com>
Sent: Monday, February 15, 2021 5:21 PM
To: Ruchama Cohen; Irene Ratner; Marcia Kusnetz
Cc: Carol Most; Lisa Vara; Diane Steiner
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Compel what? That's my question.

From: Ruchama Cohen <rcohen@sffny.org>
Sent: Monday, February 15, 2021 5:11 PM
To: Gus Dimopoulos <gd@dimolaw.com>; Irene Ratner <iratner@nycourts.gov>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Cc: Carol Most <carolmost@cwmost.com>; Lisa Vara <lvaragulmez@sffny.org>; Diane Steiner <dsteiner@sffny.org>
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Referee and Counsel:

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Staff Attorney, Matrimonial/Economic Justice Project

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Carol Most

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Sent: Monday, February 15, 2021 9:40 PM
To: Gus Dimopoulos; Marcia Kusnetz
Cc: Ruchama Cohen; Irene Ratner; Carol Most; Diane Steiner
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

There was a whole discussion over several pages and at the end of that discussion a briefing schedule set out. Your opposition is due February 23. Why would a briefing schedule have been set for a motion that wasn't authorized?

--

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Lisa S. Vara, Esq.
Director, Matrimonial/Economic Justice Project

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Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019

Show us the transcripts. We disagree. You were not granted authority.

Gus Dimopoulos
Managing Partner

Dimopoulos Bruggemann P.C.

914-472-4242

GD@dimolaw.com

Sent from my iPhone

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Cc: Ruchama Cohen; Irene Ratner; Carol Most; Lisa Vara; Diane Steiner; Michael Chiamonte
Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019
Attachments: 2021-01-28 Transcript.pdf; 2021-01-29 Transcript.pdf; 2021-2-1 [Court Transcript].pdf; 2021-2-3 Transcript.pdf

Referee Ratner:

I went back over the transcripts of 1/28, 1/29, 2/1 and 2/3 (all attached), the only motion authorization given to the Defendant was to compel the further deposition of Mr. Kassenoff. That issue is moot since during the 2/3 conference Mr. Kassenoff has agreed to sit for a deposition and we went as far as agreeing upon 3/3 as the date. We even discussed the deposition's scheduling from 10AM to 5:30PM (with a half hour lunch, the Court will recall Ms. Kusnetz said she only needs a half hour for lunch). Then we said, post EBT demands will be served by 3/10 and responses by 3/12. There is **ABSOLUTELY** no motion to compel that was authorized and I have no record of any Court authorization for the Defendant to file a motion to appoint a new attorney for Ally.

I challenge counsel to show otherwise.

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Carol Most

From: Carlos Malave <supervisionservices@yahoo.com>
Sent: Monday, February 15, 2021 11:29 AM
To: ckassenoff@yahoo.com; KassenoffA@gtlaw.com
Cc: marcia@marciakusnetzlaw.com; gd@dimolaw.com; Carol Most
Subject: Re: Visits

Good Afternoon, Visits are on hold as mother is unable to pay. She is asking if father is willing to pay for any of the visits. Please advise, otherwise she will keep us posted on when to resume

Sent from Yahoo Mail for iPhone

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Viola Varner
Director of Operations
Tel: 646-737-6866

Carlos Malave, MPA, LMSW
Executive Director
Tel: 917-293-1688

Please visit us at <http://www.supervisionservices.net>

Member of Supervised Visitation Network 

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On Sunday, January 24, 2021, 07:06:42 PM EST, <kassenoffa@gtlaw.com> wrote:

Why don't i tie them up and handcuff them to the couch as well.

Carol Most

36

From: Ruchama Cohen <rcohen@sffny.org>
Sent: Tuesday, February 16, 2021 10:38 AM
To: Irene Ratner; Gus Dimopoulos
Cc: Carol Most; Marcia Kusnetz; Lisa Vara; Michael Chiaramonte
Subject: RE: Kassenoff 58217/19
Attachments: Transcript 1-29-2021.pdf

Referee Ratner,

The transcript of 1-29-2021 (attached) specifically states that the motions are due tonight. See page 29. Since you have allowed counsel until this afternoon to respond, we are respectfully renewing our request for a two-day extension on both motions. As discussed, Ms. Kusnetz is engaged in trial.

Thank you,
Ruchama

Ruchama L. Cohen, Esq.
Staff Attorney, Matrimonial/Economic Justice Project

OUR PHONE EXTENSIONS HAVE CHANGED. PLEASE NOTE MY NEW EXTENSION BELOW

Sanctuary for Families, Inc.
Center for Battered Women's Legal Services
30 Wall Street, 8th Floor
New York, NY 10005

T: 212-349-6009 x1263
F: 212-566-0344

Facebook | Twitter
sanctuaryforfamilies.org

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From: Irene Ratner <iratner@nycourts.gov>
Sent: Tuesday, February 16, 2021 8:43 AM
To: Gus Dimopoulos <gd@dimolaw.com>
Cc: Carol Most <carolmost@cwmost.com>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>; Michael Chiaramonte <mc@dimolaw.com>
Subject: Re: Kassenoff 58217/19

Ok

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From: Gus Dimopoulos <gd@dimolaw.com>
Sent: Tuesday, February 16, 2021 7:20:15 AM
To: Irene Ratner <iratner@nycourts.gov>
Cc: Carol Most <carolmost@cwmost.com>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>; Michael Chiaramonte <mc@dimolaw.com>
Subject: Kassenoff 58217/19

Referee Ratner:

Please provide me until this afternoon to respond to counsel's barrage of letters to the court these last few days. I am away with my family but will make sure to respond by tonight.

Gus Dimopoulos
Managing Partner
Dimopoulos Bruggemann P.C.
914-472-4242
GD@dimolaw.com

Sent from my iPhone

Please be CAREFUL when clicking links or opening attachments from external senders.

Carol Most

From: Irene Ratner <iratner@nycourts.gov>
Sent: Tuesday, February 16, 2021 5:12 PM
To: Lisa Vara; Carol Most; Marcia Kusnetz; Maria Baratta
Cc: Gus Dimopoulos; Ruchama Cohen
Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019

The extra time is granted re the counsel for ally.
 However I await mr dimopoulos's response re the motion to compel.
 Please advise what if any discovery demand has not been complied with to date by mr Dimopoulos.

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From: Lisa Vara <lvaragulmez@sffny.org>
Sent: Tuesday, February 16, 2021 5:05:28 PM
To: Carol Most <carolmost@cwmost.com>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Maria Baratta <mbaratta@nycourts.gov>; Irene Ratner <iratner@nycourts.gov>
Cc: Gus Dimopoulos <gd@dimolaw.com>; Ruchama Cohen <rcohen@sffny.org>
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Ms. Baratta and Referee Ratner,

Ms. Most gave her consent for these brief extensions. We never heard anything from Mr. Dimopoulos though Referee Ratner indicated this morning that he could respond later on. In the absence of a response from him and it is now 5 PM, can we please be granted these brief extensions as requested by Ms. Kusnetz?

Thank you,

--

OUR PHONE EXTENSIONS HAVE CHANGED. PLEASE NOTE MY NEW EXTENSION BELOW.

Lisa S. Vara, Esq.
 Director, Matrimonial/Economic Justice Project

Sanctuary for Families, Inc.
 Center for Battered Women's Legal Services
 30 Wall Street, 8th Floor
 New York, NY 10005

T: 212-349-6009 x1347
 F: 212-566-0344

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transmission. If verification is required please request a hard-copy version. This message is provided for informational purposes and should not be construed as legal advice or opinion.

From: Carol Most <carolmost@cwmost.com>
Sent: Tuesday, February 16, 2021 1:35 PM
To: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Maria Baratta <mbaratta@nycourts.gov>; Irene Ratner <iratner@nycourts.gov>
Cc: Gus Dimopoulos <gd@dimolaw.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Ms. Baratta: I have no objection.

Carol W. Most
Most & Schneid, P.C.
White Plains Office:
222 Bloomingdale Road, Suite 302
White Plains, NY 10605
Tel: 914.997.9181
Fax: 914.997.9180

Garden City Office:
666 Old Country Road, Suite 304
Garden City, NY 11530
Tel: 516.453.9000
Fax: 914.997.9180

Super Lawyers

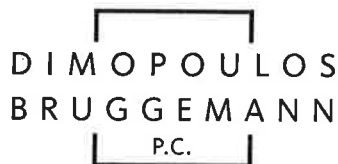


From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Tuesday, February 16, 2021 1:31 PM
To: Maria Baratta <mbaratta@nycourts.gov>; Irene Ratner <iratner@nycourts.gov>
Cc: Gus Dimopoulos <gd@dimolaw.com>; Carol Most <carolmost@cwmost.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>
Subject: Kassenoff v. Kassenoff Index No. 58217/2019

Dear Ms. Baratta and Referee Ratner: My trial before Judge Ondrovic which commenced today also settled today, and I am therefore asking for an additional day to file the Motion for a private attorney for Ally, until tomorrow, and for an extension to Thursday for the Motion to Compel. It is clear that neither Mr. Dimopoulos nor Ms. Most will agree to the extremely short extensions requested, I note that the decision by the Referee to schedule a pre-Motion Conference, requested on January 5, 2021, for more than three weeks later was due to Mr. Dimopoulos' "trial preparation" in an unrelated matter. I would hope to be granted the same courtesy.

Thank you,
Marcia E. Kusnetz

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73 Main Street • Tuckahoe, New York 10707 • t. 914.472.4242 • f. 914.793.1111 • www.dimolaw.com

February 16, 2021

VIA NYSCEF and EMAIL

Hon. Nancy Quinn Koba
Supreme Court, Westchester County
111 Dr. Martin Luther King Jr. Blvd.
White Plains, New York 10601

Re: *Kassenoff v. Kassenoff, Index No. 58217/19*

Dear Judge Koba:

I write to respectfully request Your Honor clarify the Court’s position concerning what motions were permitted – and not permitted. The parties seem to have a different understanding. This Court should also note that Mr. Kassenoff received notice tonight that the Plaintiff has *suspended* all in-person visitation indefinitely due to her refusal (or inability) to pay for the visits. This, on the heels of yet another suspension of Zoom calls (we received word yesterday). It should not be lost on this Court that the Plaintiff will pay Ms. Kusnetz (and her appellate counsel) tens-of-thousands to litigate endlessly – but she will not pay a few hundred to visit with her kids – begging the question – what are her true intentions here?

Before addressing the issues, I will note that Your Honor has stated on multiple occasions that “the attorney of record [for Defendant] is Ms. Kusnetz. The Sanctuary for Families represented to me on prior occasions that they were going to be in the, quote, background, and would not be making filings with the Court. I can’t have filings from two attorneys representing the same party.” (Jan. 28, 2021 Tr. at 14:16-20). And, yet, Sanctuary for Families submitted yet another letter to the Court just yesterday. Clearly, the Defendant is taking advantage of her pro bono attorneys, all to drive up the litigation costs for Mr. Kassenoff while not costing her anything. (Whoever heard of a pro bono organization purportedly set up to help victims of domestic

violence advocating for such things as private tennis lessons, attending violin lessons at the “prestigious” Hoff-Barthelson school, etc., as Sanctuary for Families has done in this case. The true victims of domestic violence should be outraged)

On January 29, 2021, the parties appeared before Referee Ratner, and Your Honor joined the call at some point. The various letters and e-mails we have been copied on seem to indicate that the Defendant believes she was given authority to file a motion to compel the production of discovery (ostensibly under CPLR § 3214). However, a review of Page 23 of the transcript clearly indicates otherwise: Referee Ratner: “I will only allow the motion at this point on the issue of the Husband’s deposition and the extent to which whether you’re allowed an open-ended deposition or a – the extent of the husband’s further deposition.” (January 29, 2021, Tr. at 23:15-19). Later, Ms. Kusnetz was also given the opportunity to also move the Court for an award of counsel fees solely in connection with her motion concerning a further deposition of Mr. Kassenoff. (January 29, 2021 Tr. at 27:17-25). At no point in time was Ms. Kusnetz given the authority to file a motion to compel the production of further discovery. In fact, as I explained in an email yesterday, within the last 10-days we have produced our final discovery production and have yet to hear any issues – which begs the question, what would this motion to compel entail? Furthermore, counsel conveniently omits the fact that Mr. Kassenoff agreed to sit for a 7-hour, open-ended deposition on any topic during our 2/3/21 conference, therefore mooted the sole motion authorized by the Court. (February 3, 2021 Tr. at 25:4 – 32:25). The parties went as far as to select March 3rd for his continued deposition. Thus, the only known discovery dispute is resolved.

Counsel also points to a selected portion of the transcript wherein the Defendant was allegedly provided authorization to move to appoint a new attorney for Alexandra. I believe Referee Ratner made this comment in passing on Pg. 48, Line 14-16, but no serious discussion was had. To wit, there was no discussion whatsoever concerning such a motion leading up to that statement. Rather, the discussion concerned Mr. Kassenoff’s girlfriend (affectionately referred to by Ms. Kusnetz as “the paramour,” in a clear attempt to objectify her). The Defendant has *no grounds* to move the Court for the appointment of a new attorney for Ally as Ms. Most has advised this Court that she has substituted her judgment which is perfectly permissible in a case where a party has only therapeutically supervised access after a 10-day hearing. In essence, the motion will likely attack Ms. Most for not advocating for Ally’s wishes where Ms. Most has been clear that she has substituted her judgment. Thus, the motion will be nothing more than a baseless attack on Ms. Most – and Ms. Kassenoff will have to underwrite this foolishness in the form of paying my fees, and 80% of Ms. Most’s fees.

This, like Defendant’s pending efforts to delay Dr. Abrams’ updated report, should make it patently obvious to the Court that *merits* mean nothing to her – she merely wants to delay a trial in this matter for as long as possible. In fact, even after the Appellate Division denied her motion for a stay of the order reappointing Dr. Abrams – the Defendant came back to the Court with yet another ridiculous reason why Dr. Abrams should not proceed (a violation of her HIPAA rights or some other ludicrous excuse).

The Defendant has one strategy and one strategy only – to delay and overcomplicate this litigation so that the Plaintiff spends every dollar he has or concedes.¹ This should be obvious to the Court at this point.

Respectfully Yours,

DIMOPOULOS BRUGGEMANN P.C.



By: _____
Gus Dimopoulos

c.c. Marcia Kusnetz Esq. (via email)
Carol Most, Esq. (via email)
Allan Kassenoff (via email)

¹ Need we remind the Court that Ms. Kassenoff filed a frivolous lawsuit against Mr. Kassenoff and myself in Brooklyn or that Ms. Kassenoff is trying to get Mr. Kassenoff disbarred or fired (or both) by filing a baseless grievance against him.

Carol Most

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Wednesday, February 17, 2021 9:49 AM
To: Maria Baratta; Irene Ratner
Cc: Gus Dimopoulos; Carol Most; Lisa Vara; Ruchama Cohen
Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019

Ms. Baratta, Why hasn't the FASNY Order been signed? It was sent on February 3. This reminder should be coming from the AFC.

Respectfully,
Marcia Kusnetz

From: Marcia Kusnetz
Sent: Thursday, February 4, 2021 9:13 AM
To: Maria Baratta <mbaratta@nycourts.gov>; Irene Ratner <iratner@nycourts.gov>
Cc: Gus Dimopoulos <gd@dimolaw.com>; carolmost@cwmost.com <carolmost@cwmost.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>
Subject: Kassenoff v. Kassenoff Index No. 58217/2019

Ms Baratta, Please see the attached corrected FASNY Counter Order which corrects the last paragraph reference from Defendant, to "Plaintiff." Thank you.

Marcia Kusnetz

Carol Most

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Tuesday, February 16, 2021 6:08 PM
To: Gus Dimopoulos
Cc: Lisa Vara; Carol Most; Maria Baratta; Irene Ratner; Ruchama Cohen
Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019

It is beyond business hours counsel. Your delayed opposition to this modest request will not be forgotten. In light of the hour, and the Referee's request, although Rule E was already granted, we will provide an outline of what has not been produced tomorrow. We hope that is acceptable to the Court.
Sent from my iPhone

On Feb 16, 2021, at 5:09 PM, Gus Dimopoulos <gd@dimolaw.com> wrote:

My response will be filed shortly.

From: Lisa Vara <lvaragulmez@sffny.org>
Sent: Tuesday, February 16, 2021 5:05 PM
To: Carol Most <carolmost@cwmost.com>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Maria Baratta <mbaratta@nycourts.gov>; Irene Ratner <iratner@nycourts.gov>
Cc: Gus Dimopoulos <gd@dimolaw.com>; Ruchama Cohen <rcohen@sffny.org>
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Ms. Baratta and Referee Ratner,

Ms. Most gave her consent for these brief extensions. We never heard anything from Mr. Dimopoulos though Referee Ratner indicated this morning that he could respond later on. In the absence of a response from him and it is now 5 PM, can we please be granted these brief extensions as requested by Ms. Kusnetz?

Thank you,

--

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Lisa S. Vara, Esq.
Director, Matrimonial/Economic Justice Project

Sanctuary for Families, Inc.
Center for Battered Women's Legal Services
30 Wall Street, 8th Floor
New York, NY 10005

T: 212-349-6009 x1347
F: 212-566-0344

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Cc: Gus Dimopoulos <gd@dimolaw.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Ms. Baratta: I have no objection.

Carol W. Most
Most & Schneid, P.C.
White Plains Office:
222 Bloomingdale Road, Suite 302
White Plains, NY 10605
Tel: 914.997.9181
Fax: 914.997.9180

Garden City Office:
666 Old Country Road, Suite 304
Garden City, NY 11530
Tel: 516.453.9000
Fax: 914.997.9180

<image002.png>

<image003.jpg>

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Tuesday, February 16, 2021 1:31 PM
To: Maria Baratta <mbaratta@nycourts.gov>; Irene Ratner <iratner@nycourts.gov>
Cc: Gus Dimopoulos <gd@dimolaw.com>; Carol Most <carolmost@cwmost.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>
Subject: Kassenoff v. Kassenoff Index No. 58217/2019

Dear Ms. Baratta and Referee Ratner: My trial before Judge Ondrovic which commenced today also settled today, and I am therefore asking for an additional day to file the Motion for a private attorney for Ally, until tomorrow, and for an extension to Thursday for the Motion to Compel. It is clear that neither Mr. Dimopoulos nor Ms. Most will agree to the extremely short extensions requested,

I note that the decision by the Referee to schedule a pre-Motion Conference, requested on January 5, 2021, for more than three weeks later was due to Mr. Dimopoulos' "trial preparation" in an unrelated matter. I would hope to be granted the same courtesy.

Thank you,

Marcia E. Kusnetz

Carol Most

From: James McEvoy <jrmcevoy@nycourts.gov>
Sent: Wednesday, February 17, 2021 10:32 AM
To: Gus Dimopoulos; marcia@marciakusnetzlaw.com; Carol Most; Lisa Vara; rcohen@sffny.org; Michael Chiaramonte
Subject: Kassenoff v Kassenoff (Westchester County Index No. 58217/2019)

Counselors,

The Court is in receipt of your *ex parte* email communication dated February 16, 2021, and copied below, which was sent to your attorneys and the Court. Please be advised that the Court rejects your email and advises opposing counsel, who is copied on this email, of same. As you are well aware, *ex parte* communications with a court of record are strictly prohibited.

James McEvoy
Principal Law Clerk to the Hon. Nancy Quinn Koba, J.S.C.
Westchester County Supreme Court
White Plains, NY 10601
jrmcevoy@nycourts.gov

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Tuesday, February 16, 2021 12:46 PM
To: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>; Hon. Nancy Quinn Koba <nkoba@nycourts.gov>
Subject: Please help

Counsel,

I miss my children so much, I don't know what to do. This divorce is inhuman. I am crying all the time now. It has gone on for so long and I am not a meaningful part of their lives. It is just unbearable. They are so young, need me, and I am not even permitted to be their mom anymore. I just cannot bear it.

Catherine

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42

Carol Most

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Wednesday, February 17, 2021 11:31 AM
To: James McEvoy; Gus Dimopoulos; Carol Most; Lisa Vara; rcohen@sffny.org; Michael Chiaramonte
Subject: Re: Kassenoff v Kassenoff (Westchester County Index No. 58217/2019)

Mr. McEvoy, My co-counsel already wrote to Ms. Baratta, that the confidential/privileged email sent to counsel was inadvertently sent to the Judge by my client. It was a mistake. There was no need to chastise my client, after receipt of Ms. Vara's email to Ms. Baratta, nor to share the email with opposing counsel, as the email was rejected by the Court.

Can you please check on the status of the FASNY Counter Order submitted to Ms. Baratta and uploaded on NYSCEF on February 3?

Respectfully, Marcia E. Kusnetz

From: James McEvoy <jrmcevoy@nycourts.gov>
Sent: Wednesday, February 17, 2021 10:32 AM
To: Gus Dimopoulos <gd@dimolaw.com>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>; carolmost@cwmost.com <carolmost@cwmost.com>; Lisa Vara <lvaragulmez@sffny.org>; rcohen@sffny.org <rcohen@sffny.org>; Michael Chiaramonte <mc@dimolaw.com>
Subject: Kassenoff v Kassenoff (Westchester County Index No. 58217/2019)

Counselors,

The Court is in receipt of your *ex parte* email communication dated February 16, 2021, and copied below, which was sent to your attorneys and the Court. Please be advised that the Court rejects your email and advises opposing counsel, who is copied on this email, of same. As you are well aware, *ex parte* communications with a court of record are strictly prohibited.

James McEvoy
Principal Law Clerk to the Hon. Nancy Quinn Koba, J.S.C.
Westchester County Supreme Court
White Plains, NY 10601
jrmcevoy@nycourts.gov

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Tuesday, February 16, 2021 12:46 PM
To: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>; Hon. Nancy Quinn Koba <nkoba@nycourts.gov>
Subject: Please help

Counsel,

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Catherine

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THE LAW OFFICE OF MARCIA E. KUSNETZ, P.C.
ATTORNEYS AT LAW

MARCIA E. KUSNETZ, ESQ.
marcia@marciakusnetzlaw.com
mekusnetzlaw.com

2 INTERNATIONAL DRIVE, SUITE 170
RYE BROOK, NEW YORK 10573
Tel. 914-772-7933

February 17, 2021

VIA NYSCEF & E-MAIL

Honorable Nancy Quinn-Koba, JSC
Supreme Court of the State of New York
County of Westchester
111 Dr. Martin Luther King, Jr. Blvd
White Plains, NY 10601
Att.: Maria Baratta, Esq.
Court Attorney Referee Irene Ratner

Re: Kassenoff v. Kassenoff, Index No. 58217-2019

Dear Court Attorney Ratner:

We represent the Defendant Catherine Kassenoff in the above-referenced matrimonial action. Pursuant to Court Attorney Referee Ratner’s request, yesterday, as a response to Mr. Dimopoulos’ frivolous objection to the filing of two applications for which Rule E Authorization was granted on January 29, 2021, we are hereby providing a preview of the Motion to Compel, and a description of the documents the Plaintiff has failed or refused to produce. We are prepared to file our application upon response by the Plaintiff, tomorrow.

1. Plaintiff’s and his attorney’s exchange of correspondence, whether by email, text and letter, with the attorney for the Children, Carol W. Most, Esq. from June 2019 to the present date, including Ms. Most’s responses to the Plaintiff. Such documents shall be produced whether the communications are copied to anyone else, inclusive of Dimopoulos & Bruggemann, Dr. Adler, Dr. MucGuffog, Dr. Kuhl or any other medical provider for the children. **Plaintiff refused to produce these documents and told Defendant to “move the Court.”**
2. Proof of any forbearance application or agreement with the lenders, or any governmental agency, with regard to mortgages and/or real estate tax payments to be paid on the Larchmont and New Rochelle properties, as well as proof of Plaintiff’s mortgage and real estate tax payments for 2020-2021. **Defendant just learned that the Plaintiff stopped paying the mortgages last June 2020, and misrepresented to the Court that he had had been paying the family expenses.**
3. Plaintiff’s correspondence in 2019, 2020 and 2021 with FASNY, including documents regarding payment of Charlotte’s tuition and tuition deposit. **Plaintiff said it was “too burdensome” to produce these documents, and did not deny possession of them.**
4. Copies of Plaintiff’s updated legal invoices (from May 2020), and fees paid to private investigators and other experts. **Plaintiff’s counsel promised to update and produce these documents at the first December Trial Ready Conference held on December 18, 2020 (page 16) -it has not been done.**

5. Plaintiff's percentage and amount of receivables of the law firm Greenberg Traurig (for 2017, 2018, 2019, 2020), and percentage of the receivables for his client billings, and the Plaintiff's 'works in process' as of the date of commencement valuation date of May 24, 2019, and the 'present' valuation date of December 31, 2020, including:
 - a) engagement or retainer dates
 - b) expected work completion dates
 - c) total hours billed from dates of engagement or retainer to valuation dates
 - d) total amounts billed from date of engagement or retainer to valuation dates
 - e) total estimated (or booked) hours to be billed from the valuation dates to dates of completion of assignments
 - f) total estimated amounts to be billed from the valuation dates to dates of completion of assignments
 - g) as of the valuation dates, the Plaintiff's scheduled work assignments that have not yet commenced. The estimated total hours of the assignment and amounts to be billed on those assignments.
 - h) Work diaries and work schedules for Court appearances maintained by the Defendant from January 1, 2019 through the present date.

Plaintiff does not deny access to these documents, and testified at his deposition that he has access to his hours, billables, billings, receivables, HR benefits and certainly his schedule.
6. Statements related to Plaintiff's Bank of America (hidden) account x7559 from account opening to November 2013, for May 2018, and all missing pages for statements partially produced.
7. The "Auto File" produced that could not be opened or otherwise accessed. **There was no response to this request.**
8. Records of payments made by Plaintiff to all childcare providers from May 2019 to the present. **Plaintiff does not deny having these documents.**
9. Statements from each child's 529 Securities Accounts with Plaintiff as custodian. **Defendant has to receive statements and, if not, only to call the financial institution holding the custodial accounts to obtain statements, and there is no excuse not to provide them.**
10. Plaintiff's paystubs for January and February 2021, and any documents relating to any prospective bonuses or pay increases for 2021.
11. An Affidavit of the Plaintiff of a good faith search of the locations searched in the Larchmont home and his various satellite legal offices for the closing binders and title documents for the Larchmont and New Rochelle homes, as well as the closing binders for the two Brooklyn properties (addresses noted in the Deficiency Noted). Plaintiff admitted he did not conduct any search prior to January 29, 2021, did not recognize that the Court had Ordered him to conduct a search for these documents prior to that date (despite multiple document demands) and then embarked on a short search during the Court Conference. **The Affidavit was recommended by the Court Attorney Referee at the January 29, 2021 Conference.**

The Motion to Compel will include the authorized request that the Plaintiff's deposition continue and include the financial discovery sought in the Motion, the discovery first produced on February 2, 2021, and the valuation report.

Mr. Dimopoulos' lengthy letter to the Court of February 16, 2021, is frivolous, at best. Mr. Dimopoulos was directed at the December 21, 2020 Conference by Judge Quinn-Koba to respond to the Defendant's December 15, 2020 Notice of Deficiency, and did not do so until the

direction was repeated by the Court Attorney Referee on January 29, 2021. Counsel said he would do so by February 1, 2021 but submitted a formal response on February 2, 2021 (we agreed to give him an additional day). We will include in the Motion the time it has taken to obtain discovery compliance from the Plaintiff since the filing of the Defendant's Notice of Deficiency on December 15, 2021 to the present date, and the legal fees incurred. We previously emailed to the Referee and opposing counsel the Transcript of January 29, 2021, where Rule E was granted for the Motion to Compel and for Motion for Private Counsel for Ally Kassenoff.

It was Mr. Dimopoulos who agreed to include in the Motion to Compel those documents not produced pursuant to the Defendant's Notice of Deficiency: Opposing counsel replied "No matter what I give, it's not going to be enough so –but here's the deal, okay, if you –if I refuse to give something, those are valid grounds to make a motion. If I say we don't have them, those are not valid grounds... So to the extent I provide something and Ms. Kusnetz would like to compel me to, then I don't have an objection to that."

Opposing counsel's repeated insults to this counsel and my co-counsel at Sanctuary For Families, and attacks on the Defendant, are mere deflection, the signature of his advocacy by deflection. The insults and attacks are unprofessional and unethical, yet continue with abandon and without consequence.

Our client has rights, is entitled to CPLR mandated discovery, which will be sought in the Court authorized Motion to Compel, and for counsel fees.

Respectfully Submitted,
Marcia Kusnetz, Esq.

cc: Gus Dimopoulos, Esq.
Lisa Vara, Esq.
Ruchama Cohen, Esq.
Diane Steiner, Esq.
Carol Most, Esq.

44

Carol Most

From: Irene Ratner <iratner@nycourts.gov>
Sent: Wednesday, February 17, 2021 8:59 PM
To: Marcia Kusnetz; Maria Baratta
Cc: Gus Dimopoulos; Carol Most; Lisa Vara; Ruchama Cohen; Diane Steiner
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

After review of the transcripts, I could not find any reference to the granting of a Rule E authorizing defendant to file a motion to compel.

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IRatner

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Wednesday, February 17, 2021 6:37 PM
To: Irene Ratner <iratner@nycourts.gov>; Maria Baratta <mbaratta@nycourts.gov>
Cc: Gus Dimopoulos <gd@dimolaw.com>; Carol Most <carolmost@cwmost.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>; Diane Steiner <dsteiner@sffny.org>
Subject: Kassenoff v. Kassenoff Index No. 58217/2019

Dear Ms. Baratta and Referee Ratner, As requested by the Referee, please see the appended correspondence concerning the subject of Defendant's Motion to Compel, which correspondence has been filed on NYSCEF.

Thank you,

Marcia E. Kusnetz, Esq.

Please be CAREFUL when clicking links or opening attachments from external senders.

Carol Most

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Wednesday, February 17, 2021 9:34 PM
To: Irene Ratner
Cc: Maria Baratta; Gus Dimopoulos; Carol Most; Lisa Vara; Ruchama Cohen; Diane Steiner
Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019

Referee, did you not review my E-filed letter? The Authorization was granted. Please read page 30 of the January 29 transcript. Starting with line 5 and continuing with opposing counsel's agreement to a motion to compel production of documents-lines 20 to 25 and continuing to page 31 line 5. The motion to compel is also referred to in the February 3 transcript page 31 when scheduling Plaintiff's deposition we did so after March 1 to allow enough time to bring a Motion to Compel by February 16th.

Sent from my iPhone

On Feb 17, 2021, at 8:59 PM, Irene Ratner <iratner@nycourts.gov> wrote:

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Thank you,

Marcia E. Kusnetz, Esq.

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45

Carol Most

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Thursday, February 18, 2021 12:10 PM
To: KassenoffA@gtlaw.com; Carlos Malave
Cc: marcia@marciakusnetzlaw.com; gd@dimolaw.com; Carol Most
Subject: Re: Visits

Confirmed

On Thursday, February 18, 2021, 12:06:23 PM EST, Carlos Malave <supervisionservices@yahoo.com> wrote:

Hello All

Visit resume today

Mom please confirm for today tomorrow Sunday and Monday

Sent from Yahoo Mail for iPhone

On Monday, February 15, 2021, 11:29 AM, Carlos Malave <supervisionservices@yahoo.com> wrote:

Good Afternoon, Visits are on hold as mother is unable to pay. She is asking if father is willing to pay for any of the visits. Please advise, otherwise she will keep us posted on when to resume

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Tel: 646-737-6866

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Executive Director
Tel: 917-293-1688

Please visit us at <http://www.supervisionservices.net>

Member of Supervised Visitation Network



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On Sunday, January 24, 2021, 07:06:42 PM EST, <kassenoffa@gtlaw.com> wrote:

Why don't i tie them up and handcuff them to the couch as well.

On Jan 24, 2021, at 7:05 PM, catherine kassenoff
<ckassenoff@yahoo.com> wrote:

You are supposed to be holding the electronics. You don't do that. Here's the idea: you take the ipad and hold it. You take the phones and hold them. You take the TV remotes and hold them. In fact, I used to do this for you all the time because - if you knew anything about kids - you would know that they have a hard time putting electronics away.

On Sunday, January 24, 2021, 07:01:48 PM EST,
<kassenoffa@gtlaw.com> wrote:

All,

None of the kids had their phones or iPad during the call (which always takes place in the living room). Jojo went upstairs during the call for some unknown reason. Apparently she put on the tv upstairs. I was neither upstairs nor in the living room during the call - I was in the kitchen making dinner. It is not my fault that the kids are not that interested in the call. I have nothing to do with the call and make sure to disappear lest there be complaints of lack of privacy.

On Jan 24, 2021, at 6:57 PM, catherine kassenoff
<ckassenoff@yahoo.com> wrote:

EXTERNAL TO GT

I don't understand how you can flout the rules like this, Allan. You know what the court said about electronics but you ignore it. As the zoom recording will show, once again you have the TV on and JoJo had her iPad. I wonder - do you turn the TV on right before the call? It is heartbreaking that I have 15 minutes for 3 children, for which I pay \$50. Your message to me - and to them - is so obvious.

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com, and do not use or disseminate the information.

Carol Most

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Thursday, February 18, 2021 12:36 PM
To: cwhite@cfs-nyc.com; lvaragulmez@sffny.org; gd@dimolaw.com; Carol Most; KassenoffA@gtlaw.com
Subject: Re: Heat Issue

There is both a cost issue and a heat issue. If you want to pay for the visits, be my guest. But, despite seeing the distress in the children, you don't. While I have virtually no money left, have maxed out credit cards, forego medical procedures, have extraordinary legal bills, live without internet, accept charity from friends and family, you go on your merry way. It is unbelievable. But either way, I am not having the kids come to a freezing house - especially when you send them over in summer T shirts and leggings.

On Thursday, February 18, 2021, 12:30:47 PM EST, <kassenoffa@gtlaw.com> wrote:

Huh? The kids told me that you said that the visits are cancelled for awhile bc you cannot afford it. Gus/Carol, we cannot keep jerking the kids around like this.

Allan Kassenoff
Shareholder

Greenberg Traurig, LLP
MetLife Building | 200 Park Avenue | New York, NY 10166
T +1 212.801.2157 | F +1 212.805.9407 | C +1 917.623.8353
KassenoffA@gtlaw.com | www.gtlaw.com | [View GT Biography](#)



From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Thursday, February 18, 2021 12:27 PM
To: Chava White <cwhite@cfs-nyc.com>; Lisa Vara <lvaragulmez@sffny.org>; Gus Dimopoulos <gd@dimolaw.com>; Kassenoff, Allan (Shld-NY-IP-Tech) <KassenoffA@gtlaw.com>
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47

Carol Most

From: Gus Dimopoulos <gd@dimolaw.com>
Sent: Thursday, February 18, 2021 1:31 PM
To: Irene Ratner; Marcia Kusnetz
Cc: Carol Most; Lisa Vara; Ruchama Cohen; Diane Steiner
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019
Attachments: 2021-2-17 [Kusnetz to Ratner Compel].pdf

Referee Ratner:

You are correct. Attached is Ms. Kusnetz' list of the documents she claims are outstanding. One issue, other than #1 none of these documents were previously demanded and to serve this demand NOW, after the Court has specifically detailed a protocol for closing discovery is in bad faith. As for #1, communications with Ms. Most – Ms. Kusnetz should make an offer of proof (and provide statutory or common law authority) for this demand. We are not voluntarily going to play her games with trying to provide Ms. Most is biased—that's all this is.

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Cc: Gus Dimopoulos <gd@dimolaw.com>; Carol Most <carolmost@cwmost.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>; Diane Steiner <dsteiner@sffny.org>
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Thank you,

Marcia E. Kusnetz, Esq.

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Carol Most

From: Irene Ratner <iratner@nycourts.gov>
Sent: Thursday, February 18, 2021 4:34 PM
To: Gus Dimopoulos; Hon. Nancy Quinn Koba; Marcia Kusnetz; Maria Baratta
Cc: Carol Most; Lisa Vara; Ruchama Cohen; Diane Steiner
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

After reviewing all the transcripts referenced by defendant’s counsel, and her letters to the court requesting pre motion conferences, I must advise the court that defendant was not granted Rule E permission to file a motion to compel.

Neither plaintiff nor defendant Counsel’s references to a motion to compel grants a party permission to make a motion without Rule E authorization.

Irene Ratner

From: Gus Dimopoulos <gd@dimolaw.com>
Sent: Thursday, February 18, 2021 1:31 PM
To: Irene Ratner <iratner@nycourts.gov>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Cc: Carol Most <carolmost@cwmost.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>; Diane Steiner <dsteiner@sffny.org>
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Thank you,

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Carol Most

From: Carlos Malave <supervisionservices@yahoo.com>
Sent: Thursday, February 18, 2021 4:07 PM
To: catherine kassenoff; KassenoffA@gtlaw.com
Cc: marcia@marciakusnetzlaw.com; gd@dimolaw.com; Carol Most
Subject: Re: Visits

Here is the link to use ongoing

Click <https://zoom.us/j/92892260080> to start or join a scheduled Zoom meeting

Sent from Yahoo Mail for iPhone

On Thursday, February 18, 2021, 12:10 PM, catherine kassenoff <ckassenoff@yahoo.com> wrote:

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Hello All

Visit resume today

Mom please confirm for today tomorrow Sunday and Monday

Sent from Yahoo Mail for iPhone

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Viola Varner
Director of Operations
Tel: 646-737-6866

Carlos Malave, MPA, LMSW
Executive Director
Tel: 917-293-1688

Please visit us at <http://www.supervisionservices.net>

Member of Supervised Visitation Network



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Carol Most

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Sent: Thursday, February 18, 2021 5:07 PM
To: Kassenoff, Allan (Shld-NY-IP-Tech); cwhite@cfs-nyc.com; lvaragulmez@sffny.org; Carol Most; Irene Ratner
Cc: Marcia Kusnetz; Michael Chiamonte
Subject: RE: Heat Issue

I have removed Catherine from this e-mail, and include Ms. Kusnetz and Referee Ratner. \

This is not the first time, nor the last, I presume, that Ms. Kassenoff has cancelled in-person visits due to financial concerns (although after indicating financial concerns – now it's a heat issue?). Catherine has also cancelled zoom calls because of her inability to pay. While I understand her predicament, what I cannot understand is why she prioritizes spending tens-of-thousands of dollars per month on multiple court filings, motions, appeals, etc. over visiting with the children. It is fundamentally unfair to the children, foremost, but also to Mr. Kassenoff who consistently has to answer to the children's inquiries. The children recently told Allan that Catherine told them that they wouldn't be having visits "for a while because she cannot afford it."

Some order has to be restored here – this cannot be at Catherine's discretion – the children deserve better than this.

From: KassenoffA@gtlaw.com <KassenoffA@gtlaw.com>
Sent: Thursday, February 18, 2021 12:31 PM
To: ckassenoff@yahoo.com; cwhite@cfs-nyc.com; lvaragulmez@sffny.org; Gus Dimopoulos <gd@dimolaw.com>; carolmost@cwmost.com
Subject: RE: Heat Issue

Huh? The kids told me that you said that the visits are cancelled for awhile bc you cannot afford it. Gus/Carol, we cannot keep jerking the kids around like this.

Allan Kassenoff
 Shareholder

Greenberg Traurig, LLP
 MetLife Building | 200 Park Avenue | New York, NY 10166
 T +1 212.801.2157 | F +1 212.805.9407 | C +1 917.623.8353
KassenoffA@gtlaw.com | www.gtlaw.com | [View GT Biography](#)



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Carol Most

From: Ruchama Cohen <rcohen@sffny.org>
Sent: Wednesday, February 17, 2021 7:52 PM
To: mbaratta@nycourts.gov; Irene Ratner
Cc: Gus Dimopoulos; Carol Most; Marcia Kusnetz; Lisa Vara; Diane Steiner
Subject: Kassenoff v. Kassenoff, Index No. 58217/2019
Attachments: [1174] OSC for New Attorney 2-17-2021.pdf; [1175] Counsel's Aff. in Support of OSC.pdf; [1176] Def. Aff. in Support of OSC.pdf; [1177] New Attny - Ex. A.pdf; [1178] New Attny - Ex. B.pdf; [1179] New Attny - Ex. C.pdf; [1180] New Attny - Ex. D.pdf; [1181] New Attny - Ex. E.pdf; [1182] New Attny - Ex. F.pdf; [1183] New Attny - Ex. G.pdf; [1184] New Attny - Ex. H.pdf; [1185] New Attny - Ex. I.pdf; [1186] New Attny - Ex. J.pdf; [1187] New Attny - Ex. K.pdf; [1188] New Attny - Ex. L.pdf; [1189] New Attny - Ex. M.pdf; [1190] New Attny - Ex. N.pdf; [1191] New Attny - Ex. O.pdf

Dear Ms. Baratta and Referee Ratner:

Attached please find Defendant's Order to Show Cause in support of a new attorney for the subject child, Alexandra. The papers were filed on NYSCEF as Doc. 1174-1191.

Thank you,

Ruchama L. Cohen, Esq.
Staff Attorney, Matrimonial/Economic Justice Project

OUR PHONE EXTENSIONS HAVE CHANGED. PLEASE NOTE MY NEW EXTENSION BELOW

Sanctuary for Families, Inc.
 Center for Battered Women's Legal Services
 30 Wall Street, 8th Floor
 New York, NY 10005

T: 212-349-6009 x1263
 F: 212-566-0344

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sanctuaryforfamilies.org

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Carol Most

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Subject: Re: Visits

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Meeting ID: 928 9226 0080

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Tel: 646-737-6866

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Member of Supervised Visitation Network



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distribution, or use of any of the information
contained in or attached to the email(s) is strictly
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Sent from Yahoo Mail for iPhone

On Thursday, February 18, 2021, 6:04 PM, Carlos Malave <supervisionservices@yahoo.com> wrote:

Here's the full info

No password required

Join Zoom Meeting

Join our Cloud HD Video Meeting

Join our Cloud HD Video Meeting

Zoom is the leader in modern enterprise video communications, with an easy, reliable cloud platform for video and audio conferencing, chat, and webinars across mobile, desktop, and room systems. Zoom Rooms is the original software-based conference ro

Meeting ID: 928 9226 0080

Sent from Yahoo Mail for iPhone

On Thursday, February 18, 2021, 4:06 PM, Carlos Malave <supervisionservices@yahoo.com> wrote:

Here is the link to use ongoing

Click <https://zoom.us/j/92892260080> to start or join a scheduled Zoom meeting

Sent from Yahoo Mail for iPhone

On Thursday, February 18, 2021, 12:10 PM, catherine kassenoff <ckassenoff@yahoo.com> wrote:

Confirmed

On Thursday, February 18, 2021, 12:06:23 PM EST, Carlos Malave <supervisionservices@yahoo.com> wrote:

Hello All

Visit resume today

Mom please confirm for today tomorrow Sunday and Monday

Sent from Yahoo Mail for iPhone

On Monday, February 15, 2021, 11:29 AM, Carlos Malave <supervisionservices@yahoo.com> wrote:

Good Afternoon, Visits are on hold as mother is unable to pay. She is asking if father is willing to pay for any of the visits. Please advise, otherwise she will keep us posted on when to resume

Sent from Yahoo Mail for iPhone

On Monday, January 25, 2021, 12:34 PM, Carlos Malave <supervisionservices@yahoo.com> wrote:

Good Afternoon,
Visits are on hold as mother is unable to pay. She is asking if father is willing to pay for any of the visits. Please advise otherwise she will

keep us posted on
when to resume

Viola Varner
Director of Operations
Tel: 646-737-6866

Carlos Malave, MPA,
LMSW
Executive Director
Tel: 917-293-1688

Please visit us
at <http://www.supervisionservices.net>

*Member of Supervised
Visitation*

Network 

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On Sunday, January 24,
2021, 07:06:42 PM

EST,
<kassenoffa@gtlaw.co
m> wrote:

Why don't i tie them up
and handcuff them to
the couch as well.

On Jan
24,
2021,
at 7:05
PM,
catherin
e
kassen
off
<ckass
enoff@
yahoo.c
om>
wrote:

You are
suppos
ed to
be
holding
the
electron
ics. Yo
u don't
do
that. H
ere's
the
idea: y
ou take
the ipad
and
hold
it. You
take the
phones
and
hold
them.
You
take the
TV
remote
s and
hold
them. I
n fact, I
used to
do this
for you

all the
time
because
if
you
knew
anything
about
kids -
you
would
know
that
they
have a
hard
time
putting
electronics
away.

On
Sunday

January
24,
2021,
07:01:4
8 PM
EST,
<kasse
noffa@
gtlaw.c
om>
wrote:

All,

None of
the kids
had
their
phones
or iPad
during
the call
(which
always
takes
place in
the
living
room).
Jojo
went
upstairs
during
the call
for

54

Carol Most

From: Carol Most
Sent: Wednesday, February 17, 2021 8:19 AM
To: KassenoffA@gtlaw.com
Subject: Re: FYI

Received

Sent from my iPhone

> On Feb 16, 2021, at 6:30 PM, KassenoffA@gtlaw.com wrote:

>

> Chava white just sent me this message:

>

> So she apparently didn't expect the kids today but when I asked why and who she contacted to cancel, she couldn't say. Also, she told the kids that she won't be able to see them in person for now because she can't afford it. So supposedly this is the last visit for now.

>

> -----

> If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com, and do not use or disseminate the information.

February 19, 2021

T 202.344.4484
F 202.344.8300
GHLec@Venable.com

VIA E-MAIL and U.S. MAIL

KassenoffA@gtlaw.com; ckassenoff@yahoo.com

Mr. and Mrs. Alan and Catherine Kassenoff
161 Beach Avenue
Larchmont, NY 10538

Re: 2020-2021 Academic Year Tuition Obligation; Charlotte Kassenoff

Dear Mr. and Mrs. Kassenoff:

The undersigned represents the French American School of New York (the "School") in the above-referenced matter. Please direct all further communications to our attention.

We are writing today regarding the outstanding balance on the tuition account for your child, Charlotte Kassenoff, for the 2020-2021 academic year.

As you are aware, by signing the Enrollment Agreement for the 2020-2021 school year (the "Agreement"), which is attached hereto, you agreed to pay the Tuition, Fees, and Enrollment Deposit, as applicable as may come due and owing as billed. Pursuant to the payment plan selected, the remaining Tuition balance was due on November 1, 2020. On December 7, 2020, you requested an extension of the deadline to pay the remaining Tuition balance until January 15, 2021, which was granted. However, you failed to pay the outstanding Tuition balance by January 15, 2021 as promised. To date, the School has not received the remaining Tuition balance.

As a result of your legal commitment under the Agreements, you currently owe the School \$8,281.35, plus late payment fees and follow up service fees on the past due amounts. The School does not get involved in legal disputes between parents and, as a reminder, if the School must undertake collection efforts or otherwise participate in a legal dispute to which the School is not a party, the School will be entitled to recover the School's attorneys' fees and costs incurred.

If the remaining Tuition balance is not received by 5:00 p.m. on Friday, February 26, 2021, in accordance with paragraph 7 of the Enrollment Agreement, Charlotte will not be permitted to attend classes (in person or remotely). Furthermore, the School will not provide grades, records, transcripts, or other official school documents to you or any other party, including other private and public schools, until the balance of the Tuition is received, except as required by law.

Mr. and Mrs. Alan and Catherine Kassenoff

February 19, 2021

Page 2

Please remit payment of the outstanding Tuition balance online through your Smart Tuition account or by wire transfer. Continued failure to pay the Tuition owed after the February 26, 2021 deadline will result the initiation of a legal collections process to collect the full amount of your tuition obligations in accordance with the attached Enrollment Agreement, as well as any associated late payment fees and legal fees.

Sincerely,



Grace H. Lee

Enclosure

cc: Pascale Tooth, Director of Finance and Operations
French American School of New York

Carol Most

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Saturday, February 20, 2021 7:57 AM
To: Carol Most
Subject: Send me

Dr. Kuhl's report - you said it would be available weeks ago. Where is it

Carol Most

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Saturday, February 20, 2021 1:23 PM
To: KassenoffA@gtlaw.com
Cc: gd@dimolaw.com; lvaragulmez@sffny.org; rcohen@sffny.org; marcia@marciakusnetzlaw.com; supervisionservices@yahoo.com; Carol Most
Subject: Re: Zoom Call - 2/19/21

You will make up whatever excuses you think will fly to tell everyone and their mother that I am on "supervision." You have told other parents, who have reported it back to me.

What is so wrong is that in your anger and spite to hurt me, you hurt your children most - through the humiliation of seeing their mother be put through this. You and I both know that all you had to do was tell Anya to wait for 15 minutes for the call to occur. But you don't want to do that. You would rather humiliate and take time away from the call.

The only way Anya and the girls would know about "supervision" is through you and Carol. They have specifically told me that you and Carol have both told the girls that I "need supervision." They also asked me why I need it if you are the one who is abusive to them - kicking and grabbing them and demeaning and tormenting them.

There was no "hounding" and I hadn't spoken to Zion in months. So this is just another lie.

My Facebook post had nothing to do with supervision. It had to do with domestic violence - something the court credited specifically in its decision.

You violated the rules of the call yet again.

On Saturday, February 20, 2021, 01:11:35 PM EST, KassenoffA@gtlaw.com <kassenoffa@gtlaw.com> wrote:

Catherine,

Unfortunately Charley had a play date with Anya yesterday and Anya was staying over for Shabbat dinner. The choices were to make the zoom call into a huge deal and ask Anya to disappear for 15 minutes (and how would I explain that?) or to simply say that the kids have a zoom call with their mother. My guess is Anya didn't know the call was being supervised (or even what the concept of supervision even means). As for Anya's parents, I'm sure they know what is going on since Zion told me last week at dinner that you have been hounding him for another affidavit. And lest we forget your Facebook posts. So to act like Zion and Amy are in the dark is both naive and wrong.

On Feb 20, 2021, at 7:52 AM, catherine kassenoff <ckassenoff@yahoo.com> wrote:

EXTERNAL TO GT

Allan

It was entirely inappropriate for you to put Anya Hillely on my Zoom call with the children last night. What's the strategy - when you can't send in a cat or an iPad or a TV to distract the girls, you send in Anya? You have crossed the line so many times and now it appears you wish to humiliate me to my own friends, Anya's mother and father, who you know she will report back to that I am on a "supervised" phone call. While your goal may be to humiliate me, you are humiliating your own children. Indeed, the supervisor had to "kick" Anya off the call.

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58

Carol Most

From: KassenoffA@gtlaw.com
Sent: Sunday, February 21, 2021 6:53 PM
To: supervisionservices@yahoo.com
Cc: ckassenoff@yahoo.com; marcia@marciakusnetzlaw.com; gd@dimolaw.com; Carol Most
Subject: Re: Visits

Follow Up Flag: Follow up
Flag Status: Flagged

All,

After I received the email below stating that the calls were on hold, I made plans with the girls this coming Friday evening. We can either conduct the zoom call at the regular time, but I will be driving with them or we can reschedule the call to take place earlier.

Thank you.

On Feb 15, 2021, at 11:29 AM, Carlos Malave <supervisionservices@yahoo.com> wrote:

Good Afternoon, Visits are on hold as mother is unable to pay. She is asking if father is willing to pay for any of the visits. Please advise, otherwise she will keep us posted on when to resume

Sent from Yahoo Mail for iPhone

On Monday, January 25, 2021, 12:34 PM, Carlos Malave <supervisionservices@yahoo.com> wrote:

Good Afternoon, Visits are on hold as mother is unable to pay. She is asking if father is willing to pay for any of the visits. Please advise otherwise she will keep us posted on when to resume

Viola Varner
Director of Operations
Tel: 646-737-6866

Carlos Malave, MPA, LMSW
Executive Director
Tel: 917-293-1688

Please visit us at <http://www.supervisionservices.net>



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On Sunday, January 24, 2021, 07:06:42 PM EST, <kassenoffa@gtlaw.com> wrote:

Why don't i tie them up and handcuff them to the couch as well.

On Jan 24, 2021, at 7:05 PM, catherine kassenoff
<ckassenoff@yahoo.com> wrote:

You are supposed to be holding the electronics. You don't do that. Here's the idea: you take the ipad and hold it. You take the phones and hold them. You take the TV remotes and hold them. In fact, I used to do this for you all the time because - if you knew anything about kids - you would know that they have a hard time putting electronics away.

On Sunday, January 24, 2021, 07:01:48 PM EST,
<kassenoffa@gtlaw.com> wrote:

All,

None of the kids had their phones or iPad during the call (which always takes place in the living room). Jojo went upstairs during the call for some unknown reason. Apparently she put on the tv upstairs. I was neither upstairs nor in the living room during the call - I was in the kitchen making dinner. It is not my fault that the kids are not that interested in the call. I have nothing to do with the call and make sure to disappear lest there be complaints of lack of privacy.

On Jan 24, 2021, at 6:57 PM, catherine kassenoff
<ckassenoff@yahoo.com> wrote:

EXTERNAL TO GT

I don't understand how you can flout the rules like this, Allan. You know what the court said about electronics but you ignore it. As the zoom recording will show, once again you have the TV on and JoJo had her iPad. I wonder - do you turn the TV on right before the call? It is heartbreaking that I have 15 minutes for 3

children, for which I pay \$50. Your message to me - and to them - is so obvious.

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59

**THE LAW OFFICE OF MARCIA E. KUSNETZ, P.C.
ATTORNEYS AT LAW**

MARCIA E. KUSNETZ, Esq.
marcia@marciakusnetzlaw.com
mekusnetzlaw.com

**2 INTERNATIONAL DRIVE, SUITE 170
RYE BROOK, NEW YORK 10573
Tel. 914-772-7933**

February 22, 2021

VIA NYSCEF & E-MAIL

Honorable Nancy Quinn-Koba
Supreme Court of the State of New York
County of Westchester
111 Dr. Martin Luther King, Jr. Blvd
White Plains, NY 10601
Attn.: Court Attorney Referee Ratner

**Re: Kassenoff v. Kassenoff
Index No. 58217/2019**

Dear Judge Quinn-Koba:

We represent the Defendant Catherine Kassenoff. We append the email that was received by the Mother from Ally over the weekend. We bring to the Court's attention that Ally states that she is being told by her Father that the Mother does not love her, but that **"you are using me and I hate him."** That communication by the Father to Ally, **is evidence of his attempted alienation of the child's affections from her Mother.** Yet again. This constant attempt to brainwash Ally that her Mother does not love her and is just "using" her, is also the mantra of the AFC. It was the AFC who brought up with Ally that her Mother does not love her as much as her siblings because the other two children received more Christmas gifts than she did-it was Ally that refuted that horrible and hurtful claim by explaining that she had already received all of her gifts from her Mother and Grandmother- but Charlotte and JoJo's gifts from Grandma had not yet arrived and the Mother did not want them to be sad at Christmas. How is this allowed to continue?

We are asking for the immediate lifting of supervision imposed on the Mother for a year. The children must have access to their Mother that does not have an expensive price tag, is unaffordable to her and cannot continue under the present Order.

What are the repercussions for the relentless punishment of Ally for telling the truth about what is happening to her in the Father's home? Ally tapes a disgusting rant of the Father calling the children "liars" on November 8 (against Charlotte and Ally), and is punished for disseminating the taped call- Ally is physically grabbed by the Nanny so the Father can take her phone from her. No consequence. The Father has sexual relations with his paramour in the children's home which is witnessed- then has the woman sleeping over at the house- the children can hear the sounds of intimate relations from his bedroom- and which is continuing **despite** Referee Ratner's directive on January 29, 2021 (transcript p. 44) that it should not be occurring, at all. No

Kassenoff v. Kassenoff
Page 2

consequence. Ally runs away from the Father's home, twice in one day on January 27, and the Father arrives at the Police Station screaming at the child and, again, punishes her for taking away her means of communication, her phone.

The continuation of supervision is destroying these children and my client. We were asked by Mr. Dimopoulos to prepare a Stipulation for Custody, as a proposal to resolve custody. Referee Ratner inquired of opposing counsel at the January 29 conference (transcript pages 33-37) whether he would consider such a settlement proposal without an updated report from the forensic, and he said he would. Opposing counsel stated on the record that if received, "I will counter and respond to any proposal to the extent there is any hope that the issues can be resolved even in part, even in part. We will entertain it willing." I then received a number of successive emails from opposing counsel asking when the settlement proposal was coming, whether I was "serious" about resolving the case. Opposing counsel and I even had a telephone conversation and exchanged information (opposing counsel sent the Stipulation he and Mr. Lieberman drafted for 50/50 access) that I believed at the time was held in good faith. I was wrong. We spent a substantial amount of time preparing the appended Stipulation for custody, and it was sent to Mr. Dimopoulos on February 5. I received no counter-offer, just a blanket rejection weeks later. That, to me, is bad faith.

The Plaintiff should not complain about further counsel fees when he is pushing this cast to a trial, and destroying the children in the process. Despite the Referee's directive that the Father provide all notices on JoJo's portal to the Mother, he admitted not doing so. He then agreed that the Mother should have access. We submitted a Counter Order on February 3- it has not been signed, and the Father refused to send any notices to the Mother from JoJo's portal-stating that he has no further obligation to do so. Mr. Dimopoulos instructed his client not to provide access to the Mother, but also, did not advise him to provide any education materials for JoJo to the Mother. The Father defies the promise to the Court to pay the tuition arrears for Charlotte, made on the record on December 21, 2020, and now the child is on a waiting list for attendance for next year. The parties, both of them-despite our client obeying Court directives and paying her share of tuition- have been notified that they are being sued by FASNY lawyers. Both Susan Adler and Dr. Kuhl have confirmed that Charlotte should continue to attend. The Father stated on the record, as the "custodial" parent, that he does not believe it to be in Charlotte's best interests. No consequence. He took Charlotte, a gifted violinist out of a prestigious music school, and the child claims not that she has lost all that she learned. No consequence.

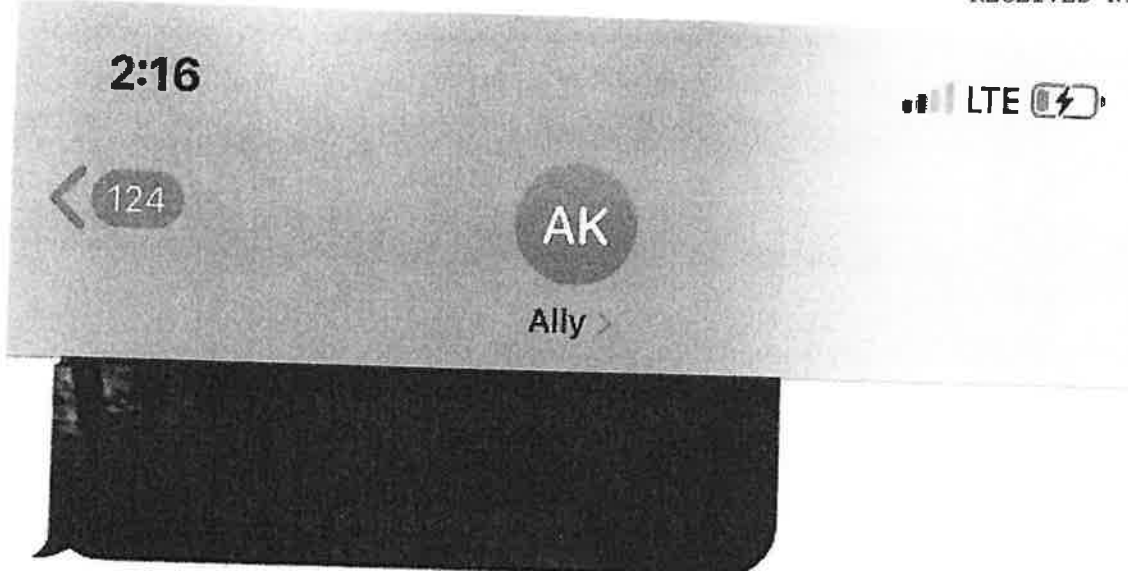
Kassenoff v. Kassenoff
Page 3

I am removing the confidentiality of the settlement proposal, because it is the Plaintiff's vision for a resolution of custody, and it is reasonable and in the best interests of the children who want to be with both their Mother and their Father. I hope the Court will review it. We remain willing to resolve this issue to stop the pain.

Respectfully,


Marcia E. Kusnetz Esq.

cc:Gus Dimopoulos, Esq.
Carol Most, Esq.
Diane Steiner, Esq.
Ruchama Cohen, Esq.
Lisa Vara, Esq.
Catherine Kassenoff
Via NYCEF



Mon, Feb 8, 9:52 AM

Shira spent the night on Friday I just thought I should know

And last night

Today 1:47 PM

Hi mommy it's not fair that people are to deaf to hear us saying we want to live with you it's like I need to start a protest I really want to live with you it's not fair

Mommy dad said that every time I spy on him and report it to you that you give me a little tinny but Of love he said that you are using me and I hate him

MOST & SCHNEID, P.C.
ATTORNEYS AT LAW

CAROL W. MOST, ESQ.
ADAM W. SCHNEID, ESQ.

222 BLOOMINGDALE ROAD, SUITE 302
WHITE PLAINS, NEW YORK 10605
914.997.9181
914.997.9180 FAX

LONG ISLAND OFFICE:
666 OLD COUNTRY ROAD, SUITE 304
GARDEN CITY, NEW YORK 11530
516-453-9000
914-997-9180 FAX

This law firm does not accept service by facsimile

February 22, 2021

via email and NYSCEF

Hon. Nancy Quinn Koba, J.S.C.
Westchester County Supreme Court
111 Dr. Martin Luther King Jr. Blvd.
White Plains, NY 10601

Re: Kassenoff v Kassenoff
Index No: 58217/2019

Dear Judge Koba:

I am the attorney for the children: Alexandra, Charlotte and Josephina. Plaintiff is represented by Gus Dimopoulos, Esq. and Marcia Kusnetz, Esq. and Sanctuary for Families represent the Defendant.

I am in receipt of Ms. Kusnetz's letter of today. I write regarding Ms. Kusnetz's continued report of my interactions with my client. Interactions which are frankly privileged. Neither Ms. Kusnetz nor her client (nor the Plaintiff) are present with me when I meet with my clients. I have already previously written to this court on February 8th, and denied the comments made by Ms. Kusnetz. Ms. Kusnetz is incorrect as to what occurred during my meeting with

my clients and as to what was said to, and with my client. The fact that Ally is stating something that I stated does not make it so. That conversation is privileged..

Respectfully,
Carol W. Most
CAROL MOST

cc: Gus Dimopoulos, Esq. (Via email and NYSCEF)
Marcia Kusnetz, Esq (Via email and NYSCEF)
Sanctuary for Families (Via NYSCEF)

February 2021 emails
read but not billed

Carol Most

From: Carol Most
Sent: Wednesday, February 3, 2021 1:58 PM
To: 'Maria Baratta'
Cc: 'Gus Dimopoulos'; Marcia Kusnetz; Ruchama Cohen; Lisa Vara; Diane Steiner; 'Michael Chiaramonte'
Subject: FW: Appellate Division Order
Attachments: 2020_06860_cal_2020_06860_ALLAN_KASSENOFF_v_CATHERINE_KASSENOFF_ORDER_28.pdf

Dear Ms. Baratta: I am attaching the decision from the Appellate Dept. regarding the stay.

Carol W. Most
Most & Schneid, P.C.
White Plains Office:
222 Bloomingdale Road, Suite 302
White Plains, NY 10605
Tel: 914.997.9181
Fax: 914.997.9180

Garden City Office:
666 Old Country Road, Suite 304
Garden City, NY 11530
Tel: 516.453.9000
Fax: 914.997.9180

SuperLawyers



Unbilled

THE LAW OFFICE OF MARCIA E. KUSNETZ, P.C.

ATTORNEYS AT LAW

MARCIA E. KUSNETZ, ESQ.
marcia@marciakusnetzlaw.com
mekusnetzlaw.com

2 INTERNATIONAL DRIVE, SUITE 170
RYE BROOK, NEW YORK 10573
Tel. 914-772-7933

February 1, 2021

VIA NYSCEF & E-MAIL

Honorable Nancy Quinn-Koba, JSC
Supreme Court of the State of New York
County of Westchester
111 Dr. Martin Luther King, Jr. Blvd
White Plains, NY 10601
Att.: Maria Baratta, Esq.
Court Attorney Referee Irene Ratner

Re: Kassenoff v. Kassenoff, Index No. 58217-2019
FASNY DEADLINE

Dear Judge Quinn-Koba:

We represent the Defendant Catherine Kassenoff. We write to inform the Court that today is the deadline for the payment of a tuition deposit of \$3,000.00, in order to secure a place for Charlotte Kassenoff at FASNY in the Fall 2021. As occurred before, my client will pay one-half of the deposit to the school, \$1,500.00. I append for the Court the notice received by the parties for payment of the deposit.

I also confirm that my client has fully paid her share of tuition for 2020-2021 for Charlotte, while the Father, despite the Court's directive, appended hereto, has not.

I refer specifically to Mr. Dimopoulos' false representation to the Court that FASNY was not aware of an 80/20 split for tuition for Catherine. Although deposits are paid prior to consideration of any scholarship application and are paid 50/50, the School considers any change in allocation in payment with regard to scholarship grants. Mr. Dimopoulos and his client disingenuously claim that they believe FASNY was not informed of the changed allocation- how can that be possible when FASNY issued the tuition statement on July 28, 2020 for the total amount of tuition due, \$10,350.75. **The tuition was then broken down, by FASNY, and FASNY issued an invoice to my client on August 17, 2020 for 20% of that total sum.** There was full disclosure to the school.

This is just an attempt by the Father to get Charlotte out of FASNY- I note that Mr. Dimopoulos tossed into the discussion on Friday to the Referee, that his client is the custodial parent and can make that decision. If we have to obtain an Order from this Court that Charlotte be permitted to continue her education at FASNY next year, just let us know and we will file an Order

Kassenoff v. Kassenoff
Page 2.

to Show Cause. This is outrageous, how can a temporary custodian be oblivious to and take such risks with the mental state of Charlotte?

We thought that the Court was clear that Charlotte would be continuing at FASNY, and now we see the Plaintiff's true motive, by failing to satisfy the tuition arrears, which he promised the Court he would do by January 1, 2021, for Charlotte to lose her spot at FASNY.

Again, the AFC was silent on this issue- on any issue which places the Father's sole custody in a negative light, despite the clear wishes expressed by Charlotte to remain at FASNY (reflected in the last CFS summary report).

Thanking Your Honor for your consideration.

Respectfully,


Marcia E. Kusnetz, Esq.

cc: Gus Dimopoulos, Esq.
Carol Most, Esq.
Lisa Vara, Esq.
Ruchama Cohen, Esq.
Diane Steiner, Esq.
Catherine Kassenoff

Urgent

catherine kassenoff <ckassenoff@yahoo.com>

Mon 2/1/2021 10:22 AM

To: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>

See below. Today is the final day to sign the contact and then pay a \$3,000 deposit.

----- Forwarded Message -----

From: Admissions at FASNY <kugoji@fasny.org>

To: Akassenoff <akassenoff@yahoo.com>

Cc: Ckassenoff <ckassenoff@yahoo.com>

Sent: Monday, February 1, 2021, 09:05:59 AM EST

Subject: Final Day To Complete Your 21-22 Re-Enrollment

**FINAL REMINDER
Contracts expire today,
End of day**

Dear parents,

You are receiving this email as a friendly reminder to complete your re-enrollment agreement. Please note that non-submitted contracts will automatically **expire at the end of day, today.**

Action item: Complete the Enrollment Agreement today to secure your spot at FASNY for the fall.

Important note: please read carefully.

Unsure about your plans for next year but you don't want to lose your spot? In submitting a signed re-enrollment contract and mandatory \$3,000 deposit today, you guarantee your child a spot at FASNY for the 2021-2022 school year until June 1, 2021*, whatever your plans might be .

Registration can be canceled at any time before June 1, 2021*.

Log in using your regular parent LMS credentials.

Need help? Email us at [registrar](#).

***Please note that deposits are not refundable.**

Leaving FASNY at the end of the school year? If you are relocating or know you will not be returning to FASNY next year, please complete the departure form on your LMS portal. This year, we will also schedule exit interviews for all departing families. It will be the perfect opportunity for us to wish your family the best of success in your new endeavor and to circle back on your experience at FASNY

The Admissions Office

Fw: Your Smart Tuition Invoice for August 2020

catherine kassenoff <ckassenoff@yahoo.com>

Mon 2/1/2021 12:12 PM

To: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Lisa Vara <lvaragulmez@sffny.org>

Marcia and Lisa,

See below. The 7/28/20 invoice is the total that was due on 11/1/20. It was then broken down 80/20 and the invoice for my 20% share was sent on 8/17/20. I paid \$2000 in November and the remaining \$70 last month. Allan paid zero.

Catherine

----- Forwarded Message -----

From: customerservice@smarttuition.com <customerservice@smarttuition.com>**To:** "ckassenoff@yahoo.com" <ckassenoff@yahoo.com>**Cc:** "akassenoff@yahoo.com" <akassenoff@yahoo.com>**Sent:** Monday, August 17, 2020, 07:03:23 AM EDT**Subject:** Your Smart Tuition Invoice for September 2020

School Logo

Catherine Kassenoff

Smart Tuition ID: 1413520000830

Your September 2020 invoice for **French-American School of New York** is now available

AMOUNT DUE

\$2,070.75

PAYMENT DUE BY Sep 03, 2020

[Download Invoice](#)

Invoices are saved on our website and can be viewed at any time. To access your Smart Tuition account and pay your bill, login at parent.smarttuition.com.

Thank you,

Smart Tuition[Smart Tuition](#)

----- Forwarded Message -----

From: customerservice@smarttuition.com <customerservice@smarttuition.com>
To: "ckassenoff@yahoo.com" <ckassenoff@yahoo.com>
Cc: "akassenoff@yahoo.com" <akassenoff@yahoo.com>
Sent: Tuesday, July 28, 2020, 07:06:55 AM EDT
Subject: Your Smart Tuition Invoice for August 2020

School Logo

Catherine Kassenoff

Smart Tuition ID: 1413520000830

Your August 2020 invoice for **French-American School of New York** is now available

AMOUNT DUE

10,350.75

PAYMENT DUE BY Aug 03, 2020

[Download Invoice](#)

Invoices are saved on our website and can be viewed at any time. To access your Smart Tuition account and pay your bill, login at parent.smarttuition.com.

Thank you,

Smart Tuition

[Smart Tuition](#)

1 Okay?

2 The other issue that was raised in the order to
3 show cause -- oh, and just so we're clear on the COVID
4 protocols, obviously, under this current situation, anyone
5 coming into the house, we're going to adhere to that, and
6 make sure they wear a mask and socially distance.

7 FASNY tuition, has that been paid, Mr. Kassenoff?

8 THE PLAINTIFF: I'm working with the school,
9 Your Honor, to extend it, to pay the last payment right
10 after January 1st.

11 I'm still working with them on that.

12 THE COURT: All right, so you're addressing that
13 issue, and that will be paid, based upon whatever you agree
14 to?

15 THE PLAINTIFF: Yes.

16 THE COURT: Okay.

17 Now, there was an allegation made, that you had
18 brought a date into the house, and that the children may
19 have seen activity that was sexual in nature.

20 So could you please reply to that, Mr. Dimopoulos?

21 MR. DIMOPOULOS: Sure, Your Honor.

22 My client is dating someone.

23 He -- it's not dates, it's not multiple dates.

24 It's one person. He's in a relationship with her.

25 The kids have met her as a friend.

MOST & SCHNEID, P.C.
ATTORNEYS AT LAW

CAROL W. MOST, ESQ.
ADAM W. SCHNEID, ESQ.

222 BLOOMINGDALE ROAD, SUITE 302
WHITE PLAINS, NEW YORK 10605
914.997.9181
914.997.9180 FAX

LONG ISLAND OFFICE:
666 OLD COUNTRY ROAD, SUITE 304
GARDEN CITY, NEW YORK 11530
516-453-9000
914-997-9180 FAX

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February 8, 2021

via email and NYSCEF

Hon. Nancy Quinn Koba, J.S.C.
Westchester County Supreme Court
111 Dr. Martin Luther King Jr. Blvd.
White Plains, NY 10601

Re: Kassenoff v Kassenoff
Index No: 58217/2019

Dear Judge Koba:

I am the attorney for the children: Alexandra, Charlotte and Josephina. Plaintiff is represented by Gus Dimopoulos, Esq. and Marcia Kusnetz, Esq. and Sanctuary for Families represents the Defendant.

I am in receipt of Ms. Kusnetz's letter of last night. Frankly, I am tired of being attacked by Ms. Kusnetz as well as her client. Neither of them were with me when I met with my clients at my office last week. (Not as mistakenly reported by Ms. Kusnetz at the Father's home.) I completely deny Ms Kusnetz's allegations. Ms. Kusnetz is incorrect as to what occurred during

my meeting with my clients.

Respectfully,
Carol W. Most
CAROL MOST

cc: Gus Dimopoulos, Esq. (Via email and NYSCEF)
Marcia Kusnetz, Esq (Via email and NYSCEF)
Sanctuary for Families (Via NYSCEF)

Carol Most

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Thursday, February 11, 2021 2:02 PM
To: Irene Ratner; Gus Dimopoulos; Carol Most; Lisa Vara; Ruchama Cohen; Diane Steiner; Maria Baratta
Subject: Re: Kassenoff matter

Referee, my co counsel were not included on the email chain and the Plaintiff should not be.

Can you please check on the issuance of the FASNY Order. Due to the Plaintiff's refusal to pay FASNY tuition arrears, Charlotte's spot for next year has been lost and she is now waitlisted.

Thank you, Marcia E. Kusnetz

Sent from my iPhone

On Feb 11, 2021, at 1:47 PM, Carol Most <carolmost@cwmost.com> wrote:

thankyou

Carol W. Most
Most & Schneid, P.C.

White Plains Office:
222 Bloomingdale Road, Suite 302
White Plains, NY 10605
Tel: 914.997.9181
Fax: 914.997.9180

Garden City Office:
666 Old Country Road, Suite 304
Garden City, NY 11530
Tel: 516.453.9000
Fax: 914.997.9180

<image001.png>

<image002.jpg>

From: Irene Ratner <iratner@nycourts.gov>
Sent: Thursday, February 11, 2021 1:40 PM
To: Gus Dimopoulos <gd@dimolaw.com>; Maria Baratta <mbaratta@nycourts.gov>; 'Marcia Kusnetz' <marcia@marciakusnetzlaw.com>; Carol Most <carolmost@cwmost.com>
Cc: Kassenoff, Allan (Shld-NY-IP-Tech) <KassenoffA@gtlaw.com>; Lucille C. Valentin <lvalentin@nycourts.gov>
Subject: RE: Kassenoff matter

The matter is scheduled for a conference on 2/22 @ 9:30.

A Teams link will be sent to counsel.

IRatner

From: Gus Dimopoulos <gd@dimolaw.com>
Sent: Wednesday, February 10, 2021 8:59 PM
To: Maria Baratta <mbaratta@nycourts.gov>; Irene Ratner <iratner@nycourts.gov>; 'Marcia Kusnetz' <marcia@marciakusnetzlaw.com>; 'Carol W. Most' <carolmost@cwmost.com>

Cc: Kassenoff, Allan (Shld-NY-IP-Tech) <KassenoffA@gtlaw.com>

Subject: RE: Kassenoff matter

Ms. Baratta,

I would respectfully request the Court conduct a conference on this matter as soon as possible - - it appears that without guidance from the court this process will be delayed unnecessarily.

From: drmarc@bestweb.net <drmarc@bestweb.net>

Sent: Wednesday, February 10, 2021 4:23 PM

To: 'Maria Baratta' <mbaratta@nycourts.gov>; 'Irene Ratner' <iratner@nycourts.gov>; 'Marcia Kusnetz' <marcia@marciakusnetzlaw.com>; Gus Dimopoulos <gd@dimolaw.com>; 'Carol W. Most' <carolmost@cwmost.com>

Subject: Kassenoff matter

To All Involved:

Since sending out an a letter this morning to The Court, Mrs. Kassenoff has had several email exchanges with me in which she has sought to create the impression that I had somehow misled This Court in my letter. I fully stand behind everything that I wrote in my letter. I have made it very clear to Mrs. Kassenoff that I will send a letter to This Court AFTER I have spoken with the treaters who are involved in Mrs. Kassenoff's clinical trial at Sloan Kettering. AFTER I have spoken with them. I will then confirm Mrs. Kassenoff's appointment with me.

Respectfully,

Dr. Abrams

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Carol Most

From: Lisa Vara <lvaragulmez@sffny.org>
Sent: Thursday, February 11, 2021 2:48 PM
To: Gus Dimopoulos; Marcia Kusnetz
Cc: Maria Baratta; Irene Ratner; Ruchama Cohen; Diane Steiner; Carol Most
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Ms. Baratta,

Would it be possible to check on the issuance of the FASNY Order? Mr. Dimopoulos submitted a proposed order and Ms. Kusnetz submitted a proposed counter order several days ago. Due to the Plaintiff's continued refusal to pay FASNY tuition arrears, Charlotte's spot for next year has been lost and she is now waitlisted as we feared would happen.

Thank you,

--

OUR PHONE EXTENSIONS HAVE CHANGED. PLEASE NOTE MY NEW EXTENSION BELOW.

Lisa S. Vara, Esq.
Director, Matrimonial/Economic Justice Project

Sanctuary for Families, Inc.
Center for Battered Women's Legal Services
30 Wall Street, 8th Floor
New York, NY 10005

T: 212-349-6009 x1347
F: 212-566-0344

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From: Gus Dimopoulos <gd@dimolaw.com>
Sent: Thursday, February 11, 2021 7:25 AM
To: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Cc: Maria Baratta <mbaratta@nycourts.gov>; Irene Ratner <iratner@nycourts.gov>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>; Diane Steiner <dsteiner@sffny.org>; Carol W. Most <carolmost@cwmost.com>
Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019

Ms. Baratta,

As I am on trial with Judge Koba, I request until tomorrow afternoon to respond to Ms. Kusnetz's letter.

Gus Dimopoulos
Managing Partner
Dimopoulos Bruggemann P.C.
914-472-4242
GD@dimolaw.com

Sent from my iPhone

On Feb 11, 2021, at 2:33 AM, Marcia Kusnetz <marcia@marciakusnetzlaw.com> wrote:

Dear Ms. Baratta, Please see the appended letter to the Court in response to Dr. Abrams' letter and communications with the Court, which was uploaded on NYSCEF.

Thank you,
Marcia E. Kusnetz, Esq.

Carol Most

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Tuesday, February 16, 2021 6:08 PM
To: Gus Dimopoulos
Cc: Lisa Vara; Carol Most; Maria Baratta; Irene Ratner; Ruchama Cohen
Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019

It is beyond business hours counsel. Your delayed opposition to this modest request will not be forgotten. In light of the hour, and the Referee's request, although Rule E was already granted, we will provide an outline of what has not been produced tomorrow. We hope that is acceptable to the Court.
Sent from my iPhone

On Feb 16, 2021, at 5:09 PM, Gus Dimopoulos <gd@dimolaw.com> wrote:

My response will be filed shortly.

From: Lisa Vara <lvaragulmez@sffny.org>
Sent: Tuesday, February 16, 2021 5:05 PM
To: Carol Most <carolmost@cwmost.com>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Maria Baratta <mbaratta@nycourts.gov>; Irene Ratner <iratner@nycourts.gov>
Cc: Gus Dimopoulos <gd@dimolaw.com>; Ruchama Cohen <rcohen@sffny.org>
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Ms. Baratta and Referee Ratner,

Ms. Most gave her consent for these brief extensions. We never heard anything from Mr. Dimopoulos though Referee Ratner indicated this morning that he could respond later on. In the absence of a response from him and it is now 5 PM, can we please be granted these brief extensions as requested by Ms. Kusnetz?

Thank you,

--

OUR PHONE EXTENSIONS HAVE CHANGED. PLEASE NOTE MY NEW EXTENSION BELOW.

Lisa S. Vara, Esq.
Director, Matrimonial/Economic Justice Project

Sanctuary for Families, Inc.
Center for Battered Women's Legal Services
30 Wall Street, 8th Floor
New York, NY 10005

T: 212-349-6009 x1347
F: 212-566-0344

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<image001.png>

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From: Carol Most <carolmost@cwmost.com>
Sent: Tuesday, February 16, 2021 1:35 PM
To: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Maria Baratta <mbaratta@nycourts.gov>; Irene Ratner <iratner@nycourts.gov>
Cc: Gus Dimopoulos <gd@dimolaw.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Ms. Baratta: I have no objection.

Carol W. Most
Most & Schneid, P.C.
White Plains Office:
222 Bloomingdale Road, Suite 302
White Plains, NY 10605
Tel: 914.997.9181
Fax: 914.997.9180

Garden City Office:
666 Old Country Road, Suite 304
Garden City, NY 11530
Tel: 516.453.9000
Fax: 914.997.9180

<image002.png>
<image003.jpg>

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Tuesday, February 16, 2021 1:31 PM
To: Maria Baratta <mbaratta@nycourts.gov>; Irene Ratner <iratner@nycourts.gov>
Cc: Gus Dimopoulos <gd@dimolaw.com>; Carol Most <carolmost@cwmost.com>; Lisa Vara <lvaragulmez@sffny.org>; Ruchama Cohen <rcohen@sffny.org>
Subject: Kassenoff v. Kassenoff Index No. 58217/2019

Dear Ms. Baratta and Referee Ratner: My trial before Judge Ondrovic which commenced today also settled today, and I am therefore asking for an additional day to file the Motion for a private attorney for Ally, until tomorrow, and for an extension to Thursday for the Motion to Compel. It is clear that neither Mr. Dimopoulos nor Ms. Most will agree to the extremely short extensions requested,

I note that the decision by the Referee to schedule a pre-Motion Conference, requested on January 5, 2021, for more than three weeks later was due to Mr. Dimopoulos' "trial preparation" in an unrelated matter. I would hope to be granted the same courtesy.

Thank you,
Marcia E. Kusnetz

Carol Most

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Friday, February 19, 2021 12:32 PM
To: Carol Most
Cc: Marcia Kusnetz; Lisa Vara
Subject: Fw: 2020-2021 Academic Year Tuition Obligation; Charlotte Kassenoff
Attachments: FASNY.Ltr to Kassenoff re Tuition Obligation.ghl.2.19.pdf

Forgot to ask: have you told Charlotte that her mother paid the school her pro rata portion in FULL and that the father refuses to pay less than \$9,000, his remaining balance? Have you told her that her records are being withheld, that she won't be allowed to enroll next year and that i can't apply for financial aid for her? Have you told her that the school is now coming after ME for Allan's share?

Isn't it your job to advocate for her?

----- Forwarded Message -----

From: catherine kassenoff <ckassenoff@yahoo.com>
To: Carol Most <carolmost@cwmost.com>
Sent: Friday, February 19, 2021, 12:01:26 PM EST
Subject: Fw: 2020-2021 Academic Year Tuition Obligation; Charlotte Kassenoff

So Carol, do you think this is a good development for Charlotte? Why aren't you demanding that Allan pay his bill as I did? See attached threat of legal action by FASNY.

----- Forwarded Message -----

From: Brown, Kimberly R. <krbrown2@venable.com>
To: KassenoffA@gtlaw.com <kassenoffa@gtlaw.com>; ckassenoff@yahoo.com <ckassenoff@yahoo.com>
Cc: Lee, Grace H. <ghlee@venable.com>; Pascale Tooth <ptooth@fasny.org>; Sykes, Ashley E. <asykes@venable.com>
Sent: Friday, February 19, 2021, 11:55:11 AM EST
Subject: 2020-2021 Academic Year Tuition Obligation; Charlotte Kassenoff

Dear Mr. and Mrs. Kassenoff,

Please find attached correspondence being forwarded on behalf of Grace Lee in the above-referenced subject matter.

Once you have had an opportunity to review the attached, please feel free to contact Ms. Lee directly with any questions or concerns.

Sincerely,

Kim

Kimberly R. Brown

Legal Administrative Assistant to Caryn G. Pass, Grace H. Lee, Janice P. Gregerson and Ashley Sykes

Venable LLP

t 202.344.4506 | f 202.344.8300

600 Massachusetts Avenue, NW, Washington, DC 20001

KRBrown2@Venable.com | www.Venable.com

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Carol Most

From: Gus Dimopoulos <gd@dimolaw.com>
Sent: Wednesday, February 24, 2021 8:19 PM
To: Irene Ratner; Lisa Vara
Cc: Marcia Kusnetz; Ruchama Cohen; Diane Steiner; Carol Most; Michael Chiamonte
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Referee Ratner:

I understand the Court is taking this matter under consideration – however, in so doing I would ask that the following factors are considered:

- In the height of COVID, the Defendant travelled on a plane to New Mexico.
- On at least 10 conferences with the Court, the Defendant took the video calls from Ms. Spielberg's office and never wore a mask while she was in the same room with Mr. Spielberg and her associate.
- She attended a 10 day custody trial, in person, and was reprimanded by the Court on a number of occasions for lowering her mask below her nose.
- She visits with the children, unmasked, each week.
- After the children had been exposed to their father (Who was positive) she demanded that the Court order that the children live temporarily with her despite the fact that the doctor determined they were presumed positive.
- Dr. Abrams is fully vaccinated and poses no risk to her (but still have heightened safety standards).

The Defendant's refusal to visit with Dr. Abrams in person is a ruse, calculated to delaying this process. The fact that she is using cancer as an excuse is despicable. I would respectfully request that she be **ordered** to appear, in person, on the dates/times set by Dr. Abrams.

Thank you.

Gus

From: Irene Ratner <iratner@nycourts.gov>
Sent: Wednesday, February 24, 2021 8:11 PM
To: Lisa Vara <lvaragulmez@sffny.org>
Cc: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Gus Dimopoulos <gd@dimolaw.com>; Ruchama Cohen <rcohen@sffny.org>; Diane Steiner <dsteiner@sffny.org>; Carol Most <carolmost@cwmost.com>
Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019

Thank you
Have a good evening

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From: Lisa Vara <lvaragulmez@sffny.org>
Sent: Wednesday, February 24, 2021 8:08:00 PM
To: Irene Ratner <iratner@nycourts.gov>
Cc: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Gus Dimopoulos <gd@dimolaw.com>; Ruchama Cohen <rcohen@sffny.org>; Diane Steiner <dsteiner@sffny.org>; Carol Most <carolmost@cwmost.com>
Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019

She has not had either vaccine.

Sent from my iPhone

On Feb 24, 2021, at 7:37 PM, Irene Ratner <iratner@nycourts.gov> wrote:

Judge Koba has inquired whether Ms. Catherine Kassenoff has had the Covid vaccine-either the first, both, or none.

IRatner

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Carol Most

From: Lisa Vara <lvaragulmez@sffny.org>
Sent: Wednesday, February 24, 2021 9:00 PM
To: Gus Dimopoulos; Irene Ratner
Cc: Marcia Kusnetz; Ruchama Cohen; Diane Steiner; Carol Most; Michael Chiaramonte
Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Referee,

As Ms. Kusnetz is preparing for trial tomorrow, I will respond.

It is outrageous that after Mr. Dimopoulos said at today's conference that he was not taking a position on this issue, and represented to Dr. Abrams that he had no issue with Ms. Kassenoff meeting with him virtually. Now, all of a sudden, just because the Court inquired as to Ms. Kassenoff's vaccination status, he is now taking this aggressive stance against Ms. Kassenoff. Then he complains about his client expending attorneys fees. This is a simple issue where any further communication was completely unnecessary.

The in-person trial, the trip to New Mexico, and the court conferences at Ms. Spielberg's offices all happened months ago when case counts were significantly lower and the new Covid variants originating in the UK, South Africa, or possibly other places were not yet known. There is reason to believe now in the present that these variants are now present in the New York City area and pose a greater risk and concern than the original strain of Covid-19, and case counts generally are higher as well.

I refer the Court to the NY Times' Coronavirus and Case Count Map, a valuable resource for tracking case counts in the area.

<https://www.nytimes.com/interactive/2020/us/new-york-coronavirus-cases.html>

Similarly, the case count graph for New Mexico also shows that at the time Ms. Kassenoff traveled there in late September to early October, case counts were very low there as well.

<https://www.nytimes.com/interactive/2020/us/new-mexico-coronavirus-cases.html>

You can see from this chart that the case count was at its lowest from July to October, the months in question. Now, though case counts have decreased from its highest peak, they are still quite high, very close to the highest levels last spring. This is nothing to discount or sneer at.

The fact that opposing counsel is discounting our client's serious medical condition as a ruse is itself despicable. Seeing one's children is different from going to meet with anyone else in small, enclosed spaces, as Dr. Abrams' office is. By that metric, anyone who has children who go to school or activities would lose the right to protect their health in other contexts. This cannot be correct. It is also perfectly understandable that someone may be willing to risk their health to ensure that their children are not exposed to Covid-19 on an ongoing basis where there is a real risk that they will be and that they otherwise be appropriately cared for, but may be more cautious for other purposes.

We reiterate our reasonable request for this meeting to be permitted to take place virtually in the current context where court proceedings, many medical appointments, workplaces, schools, and meetings have moved to a virtual medium. The Court has the power to delineate the parameters of such meetings. Given that Court themselves are

operating virtually, even holding virtual trials, a virtual meeting with a forensic examiner should not pose any problems. We also request that Mr. Dimopoulos' sudden change of position also be disregarded.

--
OUR PHONE EXTENSIONS HAVE CHANGED. PLEASE NOTE MY NEW EXTENSION BELOW.

Lisa S. Vara, Esq.

Director, Matrimonial/Economic Justice Project

Sanctuary for Families, Inc.
Center for Battered Women's Legal Services
30 Wall Street, 8th Floor
New York, NY 10005

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From: Gus Dimopoulos <gd@dimolaw.com>

Sent: Wednesday, February 24, 2021 8:19 PM

To: Irene Ratner <iratner@nycourts.gov>; Lisa Vara <lvaragulmez@sffny.org>

Cc: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Ruchama Cohen <rcohen@sffny.org>; Diane Steiner <dsteiner@sffny.org>; Carol Most <carolmost@cwmost.com>; Michael Chiaramonte <mc@dimolaw.com>

Subject: RE: Kassenoff v. Kassenoff Index No. 58217/2019

Referee Ratner:

I understand the Court is taking this matter under consideration – however, in so doing I would ask that the following factors are considered:

- In the height of COVID, the Defendant travelled on a plane to New Mexico.
- On at least 10 conferences with the Court, the Defendant took the video calls from Ms. Spielberg's office and never wore a mask while she was in the same room with Mr. Spielberg and her associate.
- She attended a 10 day custody trial, in person, and was reprimanded by the Court on a number of occasions for lowering her mask below her nose.
- She visits with the children, unmasked, each week.
- After the children had been exposed to their father (Who was positive) she demanded that the Court order that the children live temporarily with her despite the fact that the doctor determined they were presumed positive.
- Dr. Abrams is fully vaccinated and poses no risk to her (but still have heightened safety standards).

The Defendant's refusal to visit with Dr. Abrams in person is a ruse, calculated to delaying this process. The fact that she is using cancer as an excuse is despicable. I would respectfully request that she be **ordered** to appear, in person, on the dates/times set by Dr. Abrams.

Thank you.

Gus

From: Irene Ratner <iratner@nycourts.gov>
Sent: Wednesday, February 24, 2021 8:11 PM
To: Lisa Vara <lvaragulmez@sffny.org>
Cc: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Gus Dimopoulos <gd@dimolaw.com>; Ruchama Cohen <rcohen@sffny.org>; Diane Steiner <dsteiner@sffny.org>; Carol Most <carolmost@cwmost.com>
Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019

Thank you
Have a good evening

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From: Lisa Vara <lvaragulmez@sffny.org>
Sent: Wednesday, February 24, 2021 8:08:00 PM
To: Irene Ratner <iratner@nycourts.gov>
Cc: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Gus Dimopoulos <gd@dimolaw.com>; Ruchama Cohen <rcohen@sffny.org>; Diane Steiner <dsteiner@sffny.org>; Carol Most <carolmost@cwmost.com>
Subject: Re: Kassenoff v. Kassenoff Index No. 58217/2019

She has not had either vaccine.

Sent from my iPhone

On Feb 24, 2021, at 7:37 PM, Irene Ratner <iratner@nycourts.gov> wrote:

Judge Koba has inquired whether Ms. Catherine Kassenoff has had the Covid vaccine-either the first, both, or none.

IRatner

Please be CAREFUL when clicking links or opening attachments from external senders.

Carol Most

From: catherine kassenoff <ckassenoff@yahoo.com>
Sent: Thursday, February 25, 2021 11:41 AM
To: Carol Most
Cc: catherine kassenoff; Wayne Baker; heather youssef
Subject: Fw: Eval CK

Carol:

Dr. Kuhl says "everything possible" should be done to keep Charlotte at FASNY. "Everything possible".

I have repeatedly asked you to advocate for Charlotte to stay at FASNY and, even with hard proof that Allan is putting finances ahead of his own daughter, you refuse to demand he make the payment of tuition arrears - just like you stayed silent last year - so that her spot in next year's class is maintained. I will be adding your failure to advocate for her to my malpractice action and grievance against you.

Carol Most

From: Gus Dimopoulos <gd@dimolaw.com>
Sent: Friday, February 26, 2021 1:36 PM
To: Lisa Vara; Marcia Kusnetz; Maria Baratta; Marc Abrams; Carol Most; Ruchama Cohen; Michael Chiaramonte
Cc: Irene Ratner
Subject: RE: 58217/2019 Kassenoff v Kassenoff

Ms. Vara,

Court reporters charge an appearance fee and then by the page, not by the hour. However, to avoid further delay (or excuse) I will *personally* pay any additional charge the court reporter charges for that one hour. Let's move forward!

From: Lisa Vara <lvaragulmez@sffny.org>
Sent: Friday, February 26, 2021 1:32 PM
To: Gus Dimopoulos <gd@dimolaw.com>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Maria Baratta <mbaratta@nycourts.gov>; Marc Abrams <Drmarc@bestweb.net>; Carol Most <carolmost@cwmost.com>; Ruchama Cohen <rcohen@sffny.org>; Michael Chiaramonte <mc@dimolaw.com>
Cc: Irene Ratner <iratner@nycourts.gov>
Subject: RE: 58217/2019 Kassenoff v Kassenoff

We object to having to pay a court reporter for their time for a "break" in the deposition of this length for purposes of a court conference. This is way beyond a bathroom break.

--

OUR PHONE EXTENSIONS HAVE CHANGED. PLEASE NOTE MY NEW EXTENSION BELOW.

Lisa S. Vara, Esq.
Director, Matrimonial/Economic Justice Project

Sanctuary for Families, Inc.
Center for Battered Women's Legal Services
30 Wall Street, 8th Floor
New York, NY 10005

T: 212-349-6009 x1347
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From: Gus Dimopoulos <gd@dimolaw.com>
Sent: Friday, February 26, 2021 1:29 PM
To: Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Maria Baratta <mbaratta@nycourts.gov>; Marc Abrams <Drmarc@bestweb.net>; Carol Most <carolmost@cwmost.com>; Ruchama Cohen <rcohen@sffny.org>; Lisa Vara <lvaragulmez@sffny.org>; Michael Chiamonte <mc@dimolaw.com>
Cc: Irene Ratner <iratner@nycourts.gov>
Subject: RE: 58217/2019 Kassenoff v Kassenoff

We will not consent to adjourn the depositions. The conference should not take longer than an hour – we can break from the deposition to attend the conference, and then resume. One way or the other, we guarantee Ms. Kusnetz the 7-hours we agreed to.

Gus

From: Marcia Kusnetz <marcia@marciakusnetzlaw.com>
Sent: Friday, February 26, 2021 9:47 AM
To: Maria Baratta <mbaratta@nycourts.gov>; Marc Abrams <Drmarc@bestweb.net>; Gus Dimopoulos <gd@dimolaw.com>; Carol Most <carolmost@cwmost.com>; Ruchama Cohen <rcohen@sffny.org>; Lisa Vara <lvaragulmez@sffny.org>; Michael Chiamonte <mc@dimolaw.com>
Cc: Irene Ratner <iratner@nycourts.gov>
Subject: Re: 58217/2019 Kassenoff v Kassenoff

That hearing conflicts with the Court Ordered Deposition which will have to be rescheduled. I am on trial today.
Marcia

From: Maria Baratta <mbaratta@nycourts.gov>
Sent: Friday, February 26, 2021 9:24 AM
To: Marc Abrams <Drmarc@bestweb.net>; Gus Dimopoulos <gd@dimolaw.com>; Carol Most <carolmost@cwmost.com>; Marcia Kusnetz <marcia@marciakusnetzlaw.com>; Ruchama Cohen <rcohen@sffny.org>; Lisa Vara <lvaragulmez@sffny.org>; Michael Chiamonte <mc@dimolaw.com>
Cc: Irene Ratner <iratner@nycourts.gov>
Subject: 58217/2019 Kassenoff v Kassenoff

Counselors and Dr. Abrams,

All counselors, parties and Dr. Abrams shall virtually appear on Wednesday, March 3, 2021 from 11:00 a.m.- 12:00 p.m. to discuss the issues raised regarding the conduct of the supplemental forensic evaluation. This virtual hearing will be one hour, on record and under oath. There will be no adjournment absent good cause, and the hearing will start promptly at 11:00 a.m.

Below, please find the call-in number and Microsoft teams link for 58217/2019 Kassenoff v Kassenoff, scheduled for March 3, 2021 at 11:00 a.m.

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

+1 347-378-4143,,585250613# United States, New York City

(833) 262-7886,,585250613# United States (Toll-free)

Phone Conference ID: 585 250 613#

Maria Baratta

Assistant Law Clerk to the Hon. Nancy Quinn Koba

Westchester County Supreme Court

111 Dr. Martin Luther King Jr. Blvd

White Plains, NY 10601

914-824-5486

mbaratta@nycourts.gov

NOTICE: RECORDING, BROADCASTING, OR STREAMING OF COURT PROCEEDINGS IS PROHIBITED (RULES OF THE CHIEF JUDGE 29.1).

NOTICE: COUNSEL ARE DIRECTED TO FORWARD ANY MICROSOFT TEAMS LINK TO ANY AND ALL PERSONS ENTITLED TO NOTICE. BE ADVISED, ALL PARTICIPANTS ARE TO **CONDUCT A TEST** 24 HOURS PRIOR TO SCHEDULED APPEARANCES. TO CONDUCT A TEST, MICROSOFT TEAMS MUST BE INSTALLED ON YOUR MACHINE. INSTRUCTIONS ON HOW TO DOWNLOAD MICROSOFT TEAMS AND CONDUCT A TEST ON YOUR MACHINE CAN BE FOUND AT:

<https://portal.nycourts.gov/knowledgebase/article/KA-01071/en-us>.

NOTICE: UNLESS EXPRESSLY AUTHORIZED BY THE COURT ATTORNEY REFEREE OR MATRIMONIAL PART JUSTICE TO WHOM IT IS DIRECTED, OR UNLESS SPECIFICALLY AUTHORIZED BY THE WESTCHESTER SUPREME COURT MATRIMONIAL PART OPERATIONAL RULES, NO LETTER OR OTHER WRITTEN COMMUNICATION IS TO BE TRANSMITTED TO THE MATRIMONIAL PART BY ANY MEANS OF TRANSMISSION (SEE WESTCHESTER SUPREME COURT MATRIMONIAL PART OPERATIONAL RULES § [J] [2]). ANY WRITTEN COMMUNICATION SENT IN VIOLATION OF THE RULES WILL NOT BE REVIEWED OR RESPONDED TO BY THE COURT.

Carol Most

From: Carlos Malave <supervisionservices@yahoo.com>
Sent: Friday, February 26, 2021 4:30 PM
To: Kassenoff, Allan (Shld-NY-IP-Tech); Gus Dimopoulos
Cc: marcia@marciakusnetzlaw.com; Carol Most
Subject: Re: Visits

Hi there did you receive the last batch of reports ?

Viola Varner
Director of Operations
Tel: 646-737-6866

Carlos Malave, MPA, LMSW
Executive Director
Tel: 917-293-1688

Please visit us at <http://www.supervisionservices.net>

Member of Supervised Visitation Network 

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On Friday, February 26, 2021, 04:17:36 PM EST, Gus Dimopoulos <gd@dimolaw.com> wrote:

Mr. Malave,

The drive is missing 1/15, 1/28, 1/29. Also please give us written reports for all dates on which visits occurred but recording didn't occur.

Thank you.

From: Carlos Malave <supervisionservices@yahoo.com>
Sent: Tuesday, February 23, 2021 8:31 AM
To: Gus Dimopoulos <gd@dimolaw.com>; Kassenoff, Allan (Shld-NY-IP-Tech) <KassenoffA@gtlaw.com>
Cc: marcia@marciakusnetzlaw.com; Carol Most <carolmost@cwmost.com>; Catherine Kassenoff <ckassenoff@yahoo.com>
Subject: Re: Visits

Good Morning, I touched base with the monitor to sort through the drive and the reports.

This is the updated list:

2/4/2021
2/5/2021
2/10/2021
2/11/2021
2/12/2021
2/18/2021
2/21/21
2/22/21

1/3/2021
1/4/2020
1/6/2021
1/7/2021
1/8/2021
1/10/2021
1/14/2021
1/15/2021
1/17/2021
1/20/2021
1/21/2021
1/22/2021
1/24/2021
1/28/2021
1/29/2021

Drive has been reviewed:

- There are two undated videos in the drive we are working on sorting that out. It may be Jan 15, 28, or 29
- 2/21/21 was unable to be recovered

Reports will be sent in a separate Email.

We have reached out to zoom and there is no way to get the videos back. We will try the cloud option as another alternative during the next visit. They also suggested as We have as well, for multiple parties to join and record as many things can happen during the converting process takes a few minutes and is not always successful. If anyone will join please let me know so that we may adjust the permissions for you to do so.

We hope this is helpful and we thank you for your understanding of these tech challenges.

Viola Varner

Director of Operations

Tel: 646-737-6866

Carlos Malave, MPA, LMSW

Executive Director

Tel: 917-293-1688

Please visit us at <http://www.supervisionservices.net>



Member of Supervised Visitation Network

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On Monday, February 22, 2021, 03:33:35 PM EST, Carlos Malave <supervisionservices@yahoo.com> wrote:

I'll chyme records for those videos

Tonight there's a call i will be on as a back up recording

Well also contact zoom about this issues

Sent from Yahoo Mail for iPhone

On Monday, February 22, 2021, 3:01 PM, Gus Dimopoulos <gd@dimolaw.com> wrote:

Ok, thanks – we are missing videos for:

1/7/2021
1/15/2021
1/19/2021
1/25/2021
1/27/2021
1/28/2021
1/29/2021
1/31/2021

Can you please upload asap? Also, currently, are there any calls scheduled?

Thank you.

From: Carlos Malave <supervisionservices@yahoo.com>
Sent: Monday, February 22, 2021 2:59 PM
To: Kassenoff, Allan (Shld-NY-IP-Tech) <KassenoffA@gtlaw.com>; Gus Dimopoulos <gd@dimolaw.com>
Cc: marcia@marciakusnetzlaw.com; Carol Most <carolmost@cwmost.com>; Catherine Kassenoff