

EXHIBIT 3

**SUBPOENA TO MOVE SURROGATE
COURT RECORDS
RIPPED UP; POLICE REPORT ON
WASSERMAN; WASSERMAN IS A
“RESPONDENT”**

Surrogate's Court - New York County
31 Chambers Street, New York, NY 10007



NEW YORK COUNTY SURROGATE'S COURT
RECEIPT # 110087
DATE: 06-16-2006
TIME: 2:56pm
OPERATOR FB

FILE # 1998-1042

TASCHEREAU, JULIA

SUBPOENA

30.00

RETAIN FOR YOUR RECORDS



872 - Subpoena duces tecum, blank court, with witness' stipulation to remain subject to attorney's call, CPLR § 2305(b) 9-03. A copy of this form must be served on all parties. CPLR § 3120(3)

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Surrogate COURT
COUNTY OF New York

Probate Proceeding
Will of Julia Taschereau,
Deceased

Plaintiff

Defendant

Index No. 1042/98

Calendar No.
Surrogate Court J.
Renée Roth
JUDICIAL SUBPOENA
DUCES TECUM

The People of the State of New York

TO Clerk of the Surrogate Court in control and custody of the specified records.

GREETING:

WE COMMAND YOU, That all business and excuses being laid aside, you and each of you (check one box)

to appear and attend before

at _____ 20 at _____ M, and at any recessed or adjourned date to give testimony in this action on the part of the

and that you bring with you, and produce at the same time and place certain,

to produce by _____ 20 original documents for inspection and copying at the place where such items are originally maintained, certain

deliver by JUNE 30 2006 to Clerk, Appellate Division, First Department
27 Madison Ave. NY NY

complete and accurate copies of certain:

All 1404 transcripts (Scott Vanos Terrence McC Julia Darge All motions
1042/98
402 15 26

Please Return to 507 for 402

now in your custody, on the premises.

Failure to comply whose behalf this subpoena failure to comply.

Dated: JUNE 16

A copy of this subpoena must accompany all papers or other items delivered to the court.

ritings, which you have in your custody or power, concerning

a contempt of Court and shall be liable to the person on exceed fifty dollars and all expenses sustained by reason of your

J.T. Buckley

(The name signed must be printed beneath)

Attorney(s) for
Office and Post Office Address

Unless the subpoena duces tecum directs the production of original documents for inspection and copying at the place where such items are usually maintained, it shall be sufficient to deliver complete and accurate copies of the items to be produced. The reasonable production expenses of a non-party witness shall be defrayed by the party seeking discovery. CPLR § 3122(d).

Filing Fee \$ 30

Estate Value \$ _____

Intake Clerk JMB

Estate of TASCHEREAY, JULIA E. Surety Co. _____

File No. 1042/98, 2 _____ Bond filed _____, 2 _____

Petition filed _____, 2 _____ Surety Bond No. _____

Date of Birth _____, 2 _____ Amount of Bond \$ _____

Birth Certificate filed _____, 2 _____ Bond Book L _____ P _____

Date of Death _____, 2 _____ Waivers filed _____, 2 _____

Decree Signed _____, 2 _____ Notice filed _____, 2 _____

Letters issued _____, 2 _____ Cit. Returnable _____, 2 _____

Pre Letters Test Issued _____, 2 _____ Sup. Cit returnable _____, 2 _____

Temp. Letters of Adm. Issued _____, 2 _____

06-16-06
 SUBPOENA TO PRODUCE
 DOCUMENTS

NEW YORK COUNTY SURROGATE COURT
 RECEIPT # 110087
 DATE: 06-16-2006
 TIME: 2:56p
 TELEPHONE #
 FILE # 1008-1042
 REGISTERED: 06/16
 00000000

SURROGATE'S COURT
NEW YORK COUNTY

July 14 2006

05 JUN 14 PM 4:52

Dear Judge Roth:

I, Elizabeth Combs, presented you with a Subpoena for the file in the case of my mother's Will, Julia Taschereau # 1042/98.

The perfected appeal is now at the Appellate Division, waiting for the records. The subpoena was stamped and paid for on June 16 2006, and the records were to be sent to the Appellate Division by June 30 2006.

Kim Sulik in the records room told me at 4:32 PM that Dorothy Henderson told her not to honor the subpoena until a new one was submitted. I was told by Dorothy Henderson at 4:37 today, she was told by you to not honor the subpoena.

I would like to know why.

Please send your response to:

Elizabeth Combier
315 EAST 65 STREET 4C
NY NY 10021

ATT: The E- Accountability
Foundation

<http://www.wespeakup.org>

Thank you.

Respectfully,

Elizabeth Combier

Elizabeth Combier
315 east 65th Street, 4C
New York, NY 10021

Clerk of the Surrogate Court
New York County
Jane Passenant
31 Chambers St.
NYC 10007
212.374.8233

August 21, 2006

RE: Will Proceeding of Julia Taschereau
Index # 1042/98

Dear Ms Passenant,

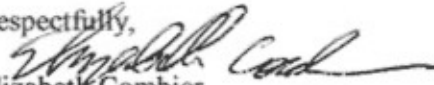
On July 14, 2006, New York County Surrogate Court Clerk Kim Sulick in the Records Room told me that she heard from the Chief Clerk of Surrogate Court for Judge Roth, and I understand that this person is you, that Surrogate Court Judge Renee R. Roth called the Attorney Generals' Office on or about June 27, 2006, concerning the subpoena I filed with Mr. Burke in Room 507 on June 16, 2006. Ms. Sulik told me and my colleague that the Attorney General vacated the subpoena, and that the subpoena was consequently ripped up by Judge Roth.

The purpose of this letter is to receive from you the Fifty Dollars owed to me by you for not causing the records requested in a judicial subpoena dated June 16, 2006, signed by the Presiding Justice of the Appellate Division, First Department Hon. John T. Buckley, (see attached) to be forwarded to the First Department by June 30, 2006.

You, notwithstanding Judge Roth and New York Attorney General Elliot Spitzer, were responsible, as a matter of law, to cause the subpoenaed records to fall into the possession of the First Department and therefore are responsible to me for the sum of Fifty dollars. Additionally, I have sent the request for an explanation to the office of Elliot Spitzer as to the statute that permits you to rip up a subpoena for records on an Appeal. Please send your explanation as soon as possible for posting in the article sent to international media and judicial accountability offices. I am informing Ms Griffin, the Public Administrator, of my request to you, and will make a similar request of her in a letter sent to you in a few days.

You may remit a check to me in the sum of Fifty dollars and deliver such to me at the address below.

Respectfully,


Elizabeth Combier
315 East 65th St. #24
NYC 10021

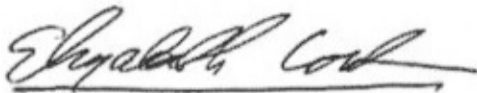
Dated: August 21, 2006

2006 AUG 21 PM 4: 07

ALBINO 111 2751
JUNCO 6, 2006/06/06

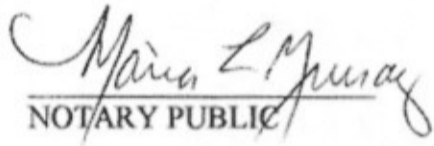


Cc: Judge Roth



Elizabeth Cook

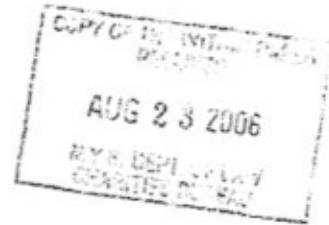
Affirmed to before me on this
21st day of August, 2006



Maria L. Murray
NOTARY PUBLIC

MARIA L. MURRAY
Notary Public, State of New York
No. 01MU6034923
Qualified in Queens County
Commission Expires December 20, 2009

Elizabeth Combier
315 East 65th Street, 4C
New York, NY 10021



Attorney General of New York
Mr. Elliot Spitzer
120 Broadway -24th Fl.
NYC 10271
212.416.8000

August 21, 2006

RE: Will Proceedings of Julia Elizabeth Taschereau
New York County Surrogate's Court File Index 1042/98

Dear Mr. Spitzer,

This is a Freedom of Information Law request under Public Officer Law § 87 for each, any, every, and all written responses by the Attorney General to the phone call, as alleged by New York County Surrogate Court Clerk Kim Sulick, from New York County Surrogate Court Judge Renee Roth to you, on or about June 27, 2006, regarding the ripping up of the attached subpoena in Probate Proceeding Will of Julia Taschereau, 1042/98.


On June 16, 2006, the Presiding Justice of the Appellate Division First Department [Hon. John T. Buckley] signed a subpoena ordering the Clerk of the Surrogate Court to cause specified transcripts and motions to be delivered to the First Department for an Appeal filed there in the above captioned case.

On July 14, 2006 New York County Surrogate Court Clerk Kim Sulick told me that she heard from the Chief Clerk of Surrogate Court for Judge Roth that Surrogate Court Judge Roth called the Attorney Generals' Office and that the Attorney General vacated the subpoena and the subpoena was consequently ripped up by Judge Roth.

Consequently, I request, under FOIL, each of the Attorney General's written or oral responses to Judge Roth's telephone authored by the Attorney General or any person answering on your behalf, telling Judge Roth to rip up the Subpoena (a copy of which is attached). We intend on providing the public a detailed story of this incident therefore we would appreciate a response to this request within the 5 day limit and within the 20-day limit as prescribed by New York State's Committee on Open Government..

Respectfully,

Dated: August 21, 2006


Elizabeth Combier
315 East 65th St. #4C
NY NY 10021

06365



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ELIOT SPITZER
Attorney General

Kermit J. Brooks
Deputy Attorney General for Operations

Stacey B. Rowland
Assistant Attorney General
Records Access Officer

August 24, 2006

Ms. Elizabeth Combier
#4C
315 East 65th St.
New York, NY 10021

RE: Freedom of Information Law (FOIL) #06365

Dear Ms. Combier:

This letter acknowledges receipt of your correspondence to the Office of the Attorney General received in our Office on August 23, 2006 regarding your request under the provisions of the Freedom of Information Law (FOIL).

Please be advised that your request has been directed to the appropriate bureau within the Office of the Attorney General and a substantive response to your inquiry will be forwarded within 20 business days.

Should any records be located that are responsive to your request, please be aware that the first five pages are provided free of charge, but after that there is a cost of \$.25 per page for all remaining pages.

Thank you for your cooperation in this matter. If you have any questions, please feel free to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stacey B. Rowland', written over a faint, illegible typed name.

Stacey B. Rowland
Assistant Attorney General



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ELIOT SPITZER
Attorney General

Kermitt J. Brooks
Deputy Attorney General for Operations

Stacey B. Rowland
Assistant Attorney General
Records Access Officer

September 22, 2006

Ms. Elizabeth Combier
#4C
315 East 65th St.
New York, NY 10021

RE: Freedom of Information Law (FOIL) #06365

Dear Ms. Combier:

This is in response to your FOIL request dated August 21, 2006.

Please be advised that the Office of the Attorney General has conducted a diligent search and does not have the records you seek. Accordingly, this office has no records that comply with your request.

At this time, we consider this file closed.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Stacey B. Rowland', written in dark ink over a horizontal line.

Stacey B. Rowland
Assistant Attorney General

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 26, 2006.

Present - Hon. John T. Buckley, Presiding Justice,
George D. Marlow
John W. Sweeny, Jr.
James M. McGuire
Bernard J. Malone, Jr., Justices.

-----X
In the Matter of a Probate Proceeding,
Will of

Julia Elizabeth Taschereau,
Deceased.

Elizabeth Cobier,
Petitioner-Appellant,

-against-

Kenneth Wasserman,
Respondent-Respondent.

M-4600
File No. 1042/98
Surrogate's Court

-----X
An appeal having been taken to this Court from the order of the Surrogate's Court, New York County, entered on or about August 22, 2005,

And petitioner-appellant having moved for an order compelling the Surrogate's Court, New York County, to comply with a judicial subpoena signed by a Justice of this Court on June 16, 2006,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied, without prejudice to renew upon a demonstration of relevance with respect to the items sought in regard to this appeal and of service of the moving papers upon the Surrogate's Court and the Attorney General.

ENTER:

Catherine O'Hagan Wolfe
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 29, 2006.

Present - Hon. John T. Buckley, Presiding Justice,
George D. Marlow
John W. Sweeny, Jr.
James M. McGuire
Bernard J. Malone, Jr., Justices.

-----X
In the Matter of a Probate Proceeding,
Will of

Julia Elizabeth Taschereau,
Deceased.

Elizabeth Comnier,
Petitioner-Appellant,

-against-

Julia Danger,
Respondent,

Jonathan Landsman, Esq.,
Non-Party Respondent.

M-4600A
File No. 1042/98
Surrogate's Court

-----X
An appeal having been taken to this Court from the order of the Surrogate's Court, New York County, entered on or about August 22, 2005,

And petitioner-appellant having moved for an order compelling the Surrogate's Court, New York County, to comply with a certain judicial subpoena,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied, without prejudice to renew upon a demonstration of relevance with respect to the items sought in regard to this appeal and of service of the moving papers upon the Surrogate's Court and the Attorney General. The order of this Court entered on September 26, 2006 (M-4600), is hereby recalled and vacated.

ENTER:

Clerk