

Subj: **The reason why**  
Date: 10/8/02 5:57:35 PM Eastern Daylight Time  
From: Judgewatchers  
To: mckinley@nytimes.com

Dear Mr. McKinley,

In response to your question, "why are you sending me this?", it is my practice -- consistent with fundamental principles of fairness -- to "cc" those about whom I write.

Don't you prefer it that way -- to have an opportunity to deny or dispute the accuracy of my statements about you -- if, in fact, they can be denied or disputed?

Since this extraordinary story rests on the lawsuit file -- a copy of which you have had since June 28th -- I challenge you to deny or dispute that it establishes EVERYTHING I have said it does in my memo to Editorial Page Editor Gail Collins.

Indeed, I challenge you to identify whether or not you asked Mr. Spitzer the few "linchpin" questions I took the time to lay out for you in my September 18th letter -- and his specific responses thereto.

Please know that I am NOT interested in getting you into trouble -- notwithstanding your obscene and inexcusable language on September 26th in telling me you told me you would not do a story about Mr. Spitzer. I am ONLY interested that the public have a balanced picture of Mr. Spitzer -- such has not been presented anywhere by the press, including by The New York Times -- and that it be provided with the information as to how the Governor has betrayed the public on issues of judicial selection and discipline -- corrupting, as well, the very state agency with disciplinary jurisdiction over him, the NYS Ethics Commission - - all of whose members he appoints.

There is a month left until Election Day -- more than enough time for you to use your wonderful gifts as a writer to pursue this fully-documented story to which voters are entitled, consistent with your duty as a journalist -- not to mention one employed by the newspaper "of record", priding itself on "all the news that's fit to print".

If, upon calm reflection, you would be willing to give me an uninterrupted hour of your time -- something which, as you know, I have asked you for since our June 28th meeting -- you would have the tools from which to *readily and effortlessly* develop the story.

I remain willing to provide you with whatever you need -- all you have to do is call. Otherwise, I will go up the ladder at The Times to find someone willing to discuss the story proposal, based on the documents in the lawsuit file. In that journey up, I will continue, in fairness, to "cc" you. I would hope that you, with similar fairness, would concede the truth of what I say the file shows, unless you are able to deny it with specific record reference.

Elena Sassower