

PHILLIPS NIZER BENJAMIN KRIM & BALLON LLP

666 FIFTH AVENUE

NEW YORK, N.Y. 10103-0084

(212) 977-9700

FAX (212) 262-5152

www.phillipsnizer.com

NEW JERSEY OFFICE
THE LEGAL CENTER, SUITE 500
ONE RIVERFRONT PLAZA
NEWARK, N.J. 07102-5401
(973) 824-3800 FAX (973) 824-2255

LONG ISLAND OFFICE
800 OLD COUNTRY ROAD
GARDEN CITY, N.Y. 11530-2011
(516) 229-8400
FAX (516) 229-9612

FAX COVER SHEET

DATE: October 6, 2000

FROM: Stuart A. Summit

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TO: NAME
Elena Sassower

FIRM/COMPANY

ADDRESSEE'S TELEPHONE NO.
914-421-1200

ADDRESSEE'S FAX NO.
914-428-4994

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**STATE OF NEW YORK
COMMISSION ON JUDICIAL NOMINATION
666 Fifth Avenue, 28th Floor
New York, New York 10103-0084
(212) 841-0715
FAX (212) 262-5152**

**John F. O'Mara, Chair
Warren Anderson
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October 4, 2000

**Stuart A. Summit, Counsel
Stephen P. Younger, Assistant Counsel
Frederick B. Warder III, Assistant Counsel**

**The Honorable George Pataki
Executive Chamber
State Capitol
Albany, New York 12224**

Dear Governor Pataki:

As Chair of the Commission on Judicial Nomination, I have the honor to report to you on behalf of the Commission, pursuant to Article 6, Section 2 of the Constitution, and Section 63(3) of Article 3-A of the Judiciary Law, the names of seven candidates for appointment to the office of Associate Judge of the Court of Appeals, who in the collective judgment of the Commission are "well-qualified," by their character, temperament, professional aptitude, experience, qualifications and fitness for office, to discharge the duties of that high office and are considered the best qualified of those who filed applications for consideration in accordance with the Commission's rules. The vacancy in that office is the result of the resignation of Joseph W. Bellacosa, Associate Judge, as of September 1, 2000.

As in the past, the Commission took many steps to seek the largest possible number of qualified applicants for the position, including Statewide notification of the application procedure, and individual solicitation of applications.

Also as in the past, the Commission caused an investigation to be conducted of the qualifications of the large number of applicants it determined to interview. The result of each investigation was reported to the Commission and discussed before and after the interviews. The Commission sought by its investigations and interviews assurance of each candidate's integrity, sound judgment, judicial temperament and high intellectual quality and writing ability.

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The Honorable George Pataki

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The candidates thus nominated by the Commission for the office of Associate Judge, listed in alphabetical order, are.

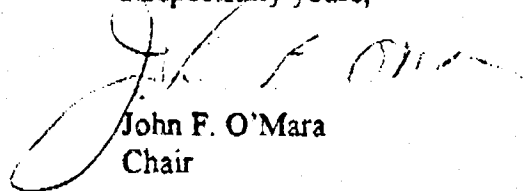
Richard T. Andrias
Stephen G. Crane
Steven W. Fisher
Victoria A. Graffeo
James C. Moore
Juanita Bing Newton
Susan P. Read

Each candidate recommended for the office of Associate Judge has been interviewed by the Commission and each has filed the financial statement required by law and being transmitted to you separately. A summary of the careers of the recommended candidates is attached.

Section 66(2) of the Judiciary Law provides that "the Governor shall have access to all papers and information relating to persons recommended to him by the Commission." The Commission, through its Chair, and its Counsel, Stuart A. Summit, stands ready to furnish you with any such material and to respond to your inquiries.

With warm greetings, and highest regard, always

Respectfully yours,



John F. O'Mara
Chair

JFO/dd
Enclosure

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RICHARD T. ANDRIAS

Currently serving as an Associate Justice of the Appellate Division, First Department, he was born in 1943 and admitted to the Bar in 1971. Received a B.A. degree from Bowdoin College, *cum laude*, and a J.D. degree from Columbia Law School, *cum laude*. Engaged in the private practice of law in New York City during 1970-71 and 1975-83. Became a Judge of the Criminal Court of the City of New York in 1983, Deputy Supervising Judge of that Court and Acting Supreme Court Justice in 1985, and a Supreme Court Justice, New York County in 1988. Designated an Associate Justice of the Appellate Division, 1996. Chair, Task Force on Processing Civilian Complaints by the Criminal Court, 1988-89. Author and lecturer on various legal topics. Active in professional, community and educational affairs. Recommended previously in 1998 by this Commission to the Governor for appointment to the office of Associate Judge of the Court of Appeals.

STEPHEN G. CRANE

Currently serving as a Justice of the Supreme Court, New York County and Administrative Judge of the Civil Branch of the Supreme Court, First Judicial District, he was born in 1938 and admitted to the Bar in 1963. Received B.S. degree from Cornell University and an LL.B. degree with distinction from Cornell Law School. Engaged in private practice of law in New York City during 1963-66, 1968-69 and 1980-81. Served as Senior Law Assistant to the Appellate Division, First Department during 1966-68 and 1969-76 and Chief Law Assistant during 1976-79. Served as Counsel to the Office of Court Administration during 1979-80. Became a Judge of the Criminal Court of the City of New York in 1981 and Acting Supreme Court Justice in 1989. Became a Supreme Court Justice, New York County in 1989 and Administrative Judge of the Civil Branch in 1996. Lecturer to judicial and professional organizations on various topics. Active in professional, community and educational affairs.

STEVEN W. FISHER

Currently serving as a Justice of the Supreme Court, Queens County and Administrative Judge for the Eleventh Judicial District of the Supreme Court, he was born in 1946, and admitted to the Bar in 1973. Received a B.A. degree from Queens College and a J.D. degree *cum laude* from Brooklyn Law School. Assistant District Attorney, Kings County 1972-76. Engaged in private practice of law in New York City, 1977-79. Served as Principal Law Clerk to Presiding Justice, Appellate Division, Second Department, 1979-83. Became a Judge of the Criminal Court of the City of New York in 1983. Acting Supreme Court Justice, Kings County, 1986-89; Queens County, 1990-92. Became a Justice of the Supreme Court, Queens County, 1993 and Administrative Judge of Supreme Court for the Eleventh Judicial District in 1998. Co-chair, Committee on Criminal Jury Instructions. Author and lecturer for judicial and professional organizations on criminal law topics. Active in professional and community affairs.

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VICTORIA A. GRAFFEO

Currently serving as an Additional Justice, Appellate Division, Third Department, she was born in 1952, and admitted to the Bar in 1978. Received a B.A. degree with high honors, State University of New York at Oneonta, and a J.D. degree from Albany Law School of Union University. Engaged in private practice of law in Albany, 1978-82, and 1984-89. Assistant Counsel, New York State Division of Alcoholism and Alcohol Abuse, 1982-84. Counsel to New York Assembly Minority Leaders, 1984-94. Solicitor General and Counsel to the New York Attorney General, 1995-96. Became a Justice of the Supreme Court, Third Judicial District in 1996. Designated Additional Justice, Appellate Division, Third Department in 1998. Lecturer to professional and community organizations. Active in professional, educational and community affairs.

JAMES C. MOORE

Currently a partner in the law firm of Harter, Secrest & Emery LLP in Rochester, New York, he was born in 1939 and admitted to the Bar in 1964. Received a B.S. degree from Cornell University and an LL.B. degree from Cornell Law School. United States Army, Judge Advocate General Corps, 1964-66. Joined Harter, Secrest in 1966 as an associate and subsequently became a partner. President, New York State Bar Association, 1998-99. Hearing Officer, Commission on Judicial Conduct since 1999. Fellow, American College of Trial Lawyers. Member, American Law Institute. Serves as a mediator and arbitrator. Author and lecturer on various topics including construction litigation, insurance law and the legal profession. Active in professional, community and educational affairs.

JUANITA BING NEWTON

Currently serving as a Judge of the Court of Claims and Deputy Chief Administrative Judge, she was born in 1950 and admitted to the Bar in 1976. Received a B.A. degree from Northwestern University and a J.D. degree from Catholic University's Columbus School of Law. Assistant District Attorney, Bronx County, 1975-1984. Counsel, New York State Sentencing Guidelines Committee, 1984-85. Executive Assistant, Office of Court Administration, 1985-87. Became a Judge of the Court of Claims in 1987. Served as Administrative Judge of the Criminal Term of Supreme Court, New York County, 1995-1999. Became Deputy Chief Administrative Judge in 1999. Member, New York State Commission on Judicial Conduct. Formerly Chair, Supreme Court, New York County Anti-Bias Committee. Lecturer to judicial and professional organizations on various topics. Active in professional, community and educational affairs.

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SUSAN P. READ

Currently serving as Presiding Judge of the New York State Court of Claims, she was born in 1947 and admitted to the Bar in 1974. Received a B.A. degree, *summa cum laude*, from Ohio Wesleyan University and a J.D. degree from University of Chicago Law School. In-house counsel, State University of New York, 1974-77. In-house counsel for General Electric Co., 1977-88. Engaged in private practice of law in Albany during 1988 to 1994. Deputy Counsel, Governor's Office, 1995-97. Became a Judge of the Court of Claims in 1998 and Presiding Judge in 1999. Past member, New York State Bar Association Executive Committee. Author on environmental law topics. Active in professional and judicial affairs.