

# CENTER for JUDICIAL ACCOUNTABILITY, INC.

P.O. Box 69, Gedney Station  
White Plains, New York 10605-0069

Tel: (914) 421-1200  
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Website: [www.judgewatch.org](http://www.judgewatch.org)

## FAX COVER SHEET

This fax transmission consists of a total of 3 page(s) including this cover page. If you have not received all the pages, please call (914) 421-1200.

DATE: 12/1/00 TIME: 9:40 am FAX #: 518-426-6904

TO: Chairman James V. LACK  
Senate Judiciary Committee

RE: Including CJA's / We're People's written

FROM: ELENA RUTH SASSOWER, Coordinator

opposition in  
the record

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### MESSAGE:

Enclosed is CJA's 12/1/00 ltr to  
Mr. Boggs - to which you are  
an indicated recipient &  
requesting you to transmit  
CJA's written opposition & P&F  
of Robert Schulz, Chairman of  
We're People Foundation to the  
stenographic transcripting the 11/29/00  
confirmation hearing of Justice Gaffeo.

CENTER for JUDICIAL ACCOUNTABILITY, INC. is a national, non-partisan, non-profit citizens' organization documenting how judges break the law and get away with it.

EX B-1

## CENTER for JUDICIAL ACCOUNTABILITY, INC.

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Elena Ruth Sassower, Coordinator

BY FAX 518-455-3332 (2 pages)

BY MAIL

December 1, 2000

Steven M. Boggess, Secretary of the Senate  
State Capitol, Room 321  
Albany, New York 12247

RE: November 29, 2000 Senate Confirmation of Justice Victoria A. Graffeo as an Associate Judge of the New York Court of Appeals: Inclusion in the Record of Clarifying Information and Written Opposition, plus FOIL Request

Dear Mr. Boggess:

The letter follows up my phone conversation with your office yesterday.

Lest the stenographer who is transcribing the Senate Judiciary Committee's November 29<sup>th</sup> hearing on Justice Graffeo's confirmation attribute to an anonymous "Voice" or "Person" a statement made by a member of the audience who rose to present citizen opposition immediately prior to the hearing's conclusion, I am that audience member. To enable you to confirm that Senate Judiciary Committee Chairman Lack was fully aware of my identity when he ignored my public request to present such opposition, a copy of this letter is being sent to him.

Chairman Lack and I spoke together just before the confirmation hearing began. In that conversation, Chairman Lack stated he would only allow me to submit written opposition -- which I told him I had already done. So that that written opposition may be part of the permanent record, CJA hereby requests that Chairman Lack transmit it to the stenographer for inclusion with the permanent record of the Senate Judiciary Committee's hearing on Justice Graffeo's confirmation. This written opposition consists of: (1) CJA's November 21<sup>st</sup> letter to Chairman Lack, requesting an "invitation" to testify in opposition; and (2) CJA's November 13<sup>th</sup> letter to Chairman Lack and Justice Graffeo, transmitting to each of them copies of CJA's October 16<sup>th</sup> report and substantiating File Folders "A" and "B", as well as CJA's November 13<sup>th</sup> report.

December 1, 2000

Robert L. Schulz, Chairman of the We the People Foundation for Constitutional Education, Inc., has authorized me to also request that Chairman Lack transmit Mr. Schulz' written opposition for inclusion in the record. This consists of: (1) his October 30th letter to Chairman Lack, which was also addressed to Governor Pataki and Senate Majority Leader Bruno; and (2) his November 21<sup>st</sup> letter to David Gruenberg, Counsel to the Senate Judiciary Committee, memorializing the Committee's refusal to extend to him an "invitation" to testify in opposition.

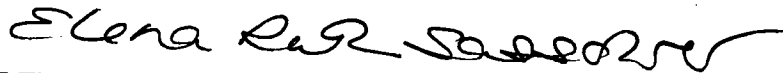
Additionally, pursuant to the Freedom of Information Law (FOIL), CJA requests:

- (1) a copy of the transcript of the Senate Judiciary Committee's hearing on Justice Graffeo's confirmation;
- (2) a copy of the transcript of the debate and vote in the State Senate on Justice Graffeo's confirmation to the New York Court of Appeals;
- (3) a copy of the roll call of Senators voting on the question of Justice Graffeo's confirmation, as entered in the Senate Journal;
- (4) a copy of the certification of Justice Graffeo's confirmation, signed by the President and Secretary of the Senate.

Your prompt attention would be greatly appreciated. Please advise, by fax, as to the cost of this FOIL request -- which we will promptly remit.

Thank you.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator  
Center for Judicial Accountability, Inc. (CJA)

cc: James J. Lack, Chairman

Senate Judiciary Committee

By Fax: 518-426-6904

By Certified Mail/RRR: 7099-3400-0001-2734-2274

Robert L. Schulz, Chairman

We the People Foundation for Constitutional Education, Inc.

By Fax: 518-656-9724

By Mail

TRANSMISSION VERIFICATION REPORT

TIME : 12/01/2000 09:43  
 NAME : CJA  
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DATE, TIME 12/01 09:41  
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 DURATION 00:01:41  
 PAGE(S) 03  
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Senate Judiciary Committee

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City, State, ZIP+4  
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PS Form 3800, July 1999

See Reverse for Instructions

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