

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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

Tel. (914) 421-1200
Fax (914) 428-4994

E-Mail: judgewatch@aol.com
Web site: www.judgewatch.org

Elena Ruth Sassower, Coordinator

BY FAX: 212-344-3318 (4 pages)

March 11, 2002

New York Civil Liberties Union
Arthur Eisenberg, Legal Director
125 Broad Street
New York, New York 10004

RE: *Amicus* and other assistance in securing review by the New York Court of Appeals of the public interest lawsuit, *Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc., acting pro bono publico, against Commission on Judicial Conduct of the State of New York* (NY Co. #108551/99; Appellate Division, First Dept. #5638)

Dear Mr. Eisenberg:

As the Civil Liberties Union safeguards the constitutional rights of all sorts of unsavory, unworthy individuals, whose acts and speech it does not agree with, it is incomprehensible to me that it would not safeguard my precious right to access to the courts – whether or not it likes the “tone” of my legal papers.

On the narrow issue of Justice Wetzel’s DUE PROCESS-LESS filing injunction against me and the *non-party* Center for Judicial Accountability, Inc. (CJA), affirmed in the fifth sentence of the Appellate Division, First Department’s decision, my discussion of that fifth sentence appears at pages 17-19 of my 19-page analysis of the appellate decision, which is Exhibit “B-1” to my January 17, 2002 reargument motion.

Do understand, however, that you have NO basis for being “offended” by the tone of my papers unless you deny or dispute the accuracy of my 3-page analysis of the decision of Justice Cahn in *Doris L. Sassower v. Commission* [A-52-54; A-189-194] and of my 13-page decision of Justice Lehner in *Mantell v. Commission* [A-321-334; A-299-307]. I have begged and pleaded for over a year that you examine these analyses. IF you have done so, you know that the decisions of Justices Cahn and Lehner – on which Justice Wetzel *exclusively* rested the dismissal of my Verified Petition [A-12-13] --are utterly bogus as to the law. Indeed, reinforcing this is the fact that the record before you shows that NO ONE – NOT the Commission, NOT the Attorney General, and

March 11, 2002

NOT any of the three courts before whom I have placed these analyses – have denied or disputed their accuracy in any respect.

From these two undisputed analyses, it should be IMMEDIATELY OBVIOUS to you that the Commission has been the beneficiary of a series of FIVE fraudulent judicial decisions in three separate lawsuits – including two appellate decisions which have INSULATED the Commission from legal challenge by an insupportable single-sentence pretense, UNSUPPORTED BY FACTUAL FINDINGS OR DISCUSSION OF LEGAL AUTHORITY that a complainant whose complaint has been dismissed by the Commission lacks “standing” to sue the Commission. IF ANYTHING, you should be offended by this – and by the record evidence before you of the Attorney General’s extraordinary litigation misconduct, fully documented by me in sanctions motions – as to which neither Justice Wetzel nor the Appellate Division have made ANY findings.

Please note that my discussion of the Appellate Division’s single-sentence hoax as to lack of “standing” appears at pages 15-16 of my 19-page analysis of its appellate decision – Exhibit “B-1” to my reargument motion. Is it really possible that the New York Civil Liberties Union is unperturbed when appellate courts, *without* factual findings or discussion of legal authority, wipe out citizens’ rights to bring legal challenge to the Commission – including for the kind of violative conduct detailed by my Verified Petition’s six Claims for Relief [A-37-45]. IT CANNOT BE.

Finally, so that you can see for yourself the September 20, 1972 letter to you which I had just photocopied to send to Harvard University as part of a transmittal of my mother’s papers, which Harvard had long ago requested, I enclose a copy.

Thank you.

Yours for a quality judiciary,



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

Enclosure

ROGERS HOGE & HILLS
90 PARK AVENUE
NEW YORK 10016

September 20, 1972

Arthur Eisenberg, Esq.
New York Civil Liberties Union
84 Fifth Avenue
New York, N. Y. 10011

Dear Mr. Eisenberg:

Ira Glasser suggested that I contact you concerning a decision of the Supreme Court of New York County, In the Matter of Walston & Co., Inc. v. New York City Commission on Human Rights et cie., a copy of which is enclosed. The decision appears to limit the jurisdiction of the Human Rights Commission to protection of the rights only of inhabitants of the City. If this construction should be accepted, then conceivably an out-of-town hotel guest who was discriminated against would have no recourse through our Human Rights Commission.

I am a member of the Special Committee on Sex and Law of the Association of the Bar of the City of New York. This decision was discussed at our last meeting. One of the members of our committee, Doris Sassower, Esq., is the attorney for Ms. Kegan, the individual involved in the case, and has intervened in the case and appealed the decision. For some inexplicable reason, the Commission on Human Rights is not appealing.

Ms. Sassower is seeking amici for her appeal. It seems to me that the NYCLU should be concerned about such a serious limitation on the jurisdiction of the Human Rights Commission. Ira told me that you had experience with the Commission, and might be interested in filing an amicus brief in this matter. If you wish to con-

Arthur Eisenberg, Esq.

Page Two

September 20, 1972

tact Ms. Sassower about the case, her address is 200 Park Avenue, New York 10017, telephone 972-1757.

Thank you for your attention.

Sincerely,

E. Carrington Boggan

ECB:ls

cc: Doris L. Sassower, Esq.

Merrell E. Clark, Jr., Esq.