

**Center for Judicial Accountability, Inc. (CJA)**

**From:** Center for Judicial Accountability, Inc. (CJA) [elena@judgewatch.org]  
**Sent:** Wednesday, December 22, 2010 4:29 PM  
**To:** 'michael.waldman@nyu.edu'  
**Cc:** 'Lee, Diana'; 'adam.skaggs@nyu.edu'; 'maria.dasilva@nyu.edu'  
**Subject:** ONCE AGAIN -- Mr. Waldman, Please let me hear from you, directly  
**Attachments:** 12-21-10-email-from-waldman.pdf

Dear Mr. Waldman,

This follows up my phone messages left for you and Ms. Lee a short time ago. Yesterday, I received your (attached) generic e-mail message entitled "Today's New York Times...", personalized by its salutation to me.

To date, however, I have received NO response from you to my below September 28, 2010 e-mail entitled "Mr. Waldman, Please let me hear from you, directly". If, indeed, you have not responded, please give me the courtesy of the reason why.

The important motion I filed in the Appellate Division, Second Department on October 4, 2010 – advancing the Brennan Center's OWN recusal reform advocacy -- is posted on CJA's website, accessible via the link indicated below. As yet, I have received no notice of its disposition.

Certainly, at least advise as to what has become of the substantiating primary source documentary evidence I left with Adam Skaggs on July 27, 2010 and which, according to Ms. Lee's below September 27, 2010 e-mail to me, you reviewed. Have you furnished this evidence to scholars of "judicial independence and accountability" at the Brennan Center and beyond? Please return it to us if you are not intending to make it available for their scholarship. The address is: P.O. Box 3002, Southampton, New York 11968.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
631-377-3583

**From:** Center for Judicial Accountability, Inc. (CJA) [mailto:elena@judgewatch.org]  
**Sent:** Tuesday, September 28, 2010 10:06 PM  
**To:** 'mwaldman@nyu.edu'; 'michael.waldman@nyu.edu'  
**Cc:** 'Lee, Diana'; 'adam.skaggs@nyu.edu'; 'maria.dasilva@nyu.edu'  
**Subject:** Mr. Waldman, Please let me hear from you, directly

as to why the Brennan Center "can not participate" in advancing its own "recusal reform" recommendations by providing *amicus curiae* or other assistance (including ANY comment or suggestions) for my motion to the Appellate Division. I will delay serving the motion until Monday, October 4<sup>th</sup> – so as to give you and the Brennan Center a further opportunity to respond, appropriately.

My attached revised draft now contains a "Table of Contents" and section headings. The third section heading "**This Appeal Presents the Court with the Opportunity and Obligation to Lead Necessary 'Recusal Reform' in New York State & the Nation**" (at pp. 11-17) features the Brennan Center's recusal reform advocacy.

For your convenience, I have also posted the draft motion (as a word document) on CJA's website – together with ALL its exhibits & the FOUR judicial disqualification motions at issue:

12/22/2010

the two against Appellate Term Justices Molia & Iannacci (which you already have) & the two against White Plains City Court Judges Hansbury & Friia – which were the subject of my appeals to the Appellate Term, but not adjudicated. Here's the link: <http://www.judgewatch.org/web-pages/test-cases/landlord-tenant-appellate-division.htm>

I look forward to discussing these with you and other staff and scholars of the Brennan Center by the week's end.

Thank you.

Elena Sassower  
631-377-3583

**From:** Center for Judicial Accountability, Inc. (CJA) [mailto:[elena@judgewatch.org](mailto:elena@judgewatch.org)]  
**Sent:** Monday, September 27, 2010 2:08 PM  
**To:** 'Lee, Diana'  
**Cc:** 'adam.skaggs@nyu.edu'; 'maria.dasilva@nyu.edu'  
**Subject:** Clarification of Your Message from the Brennan Center

Dear Diana,

Following up my voice mail a short time ago, upon my receipt of your below e-mail, what is Mr. Waldman's reason why the Brennan Center "can not participate in this matter" – and is the referred-to "matter" limited to my request for *amicus* support and other assistance for the motion to the Appellate Term?

Also, in wishing us "best of luck", what does Mr. Waldman intend to do with the "materials" he has reviewed?

Does he not view them as establishing CJA's solid credentials for collaborating with the Brennan Center? Is he not planning to furnish such "materials" to scholars affiliated with the Brennan Center and other organizations, including bar associations, working on recusal reform and judicial misconduct/discipline issues?

The Brennan Center's website describes the Brennan Center as "promoting measures of accountability that are appropriate for judges". What "measures of accountability" does Mr. Waldman believe are available for the judges whose corruption, obliterating any semblance of "the rule of law", is summarized and demonstrated by the "materials" he has reviewed?

Based on the serious and substantial nature of our "materials" – including our 2008 Critique of the Breyer Committee Report in support of congressional hearings and disciplinary and criminal investigations -- is it Mr. Waldman's opinion that I am not entitled to the courtesy of a response from him, directly?

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
631-377-3583

**From:** Lee, Diana [mailto:[LeeD@exchange.law.nyu.edu](mailto:LeeD@exchange.law.nyu.edu)]  
**Sent:** Monday, September 27, 2010 11:46 AM  
**To:** [elena@judgewatch.org](mailto:elena@judgewatch.org)  
**Subject:** Message from the Brennan Center

Hi Elena,

I wanted to let you know that Michael Waldman has reviewed your materials and unfortunately, the Brennan Center can not participate in this matter. We wish you the best of luck.

Best,  
Diana

12/22/2010

---

**Please note my new phone number:**

Diana Lee  
Special Assistant to the Executive Director  
Brennan Center for Justice  
161 Avenue of the Americas  
12th Floor  
New York, NY 10013  
t. 646.292.8344 | f. 212.463.7308  
e. [dlee@nyu.edu](mailto:dlee@nyu.edu) | w. [www.brennancenter.org](http://www.brennancenter.org)