

elena

From: elena [elena@judgewatch.org]
Sent: Wednesday, September 23, 2009 8:19 AM
To: 'Robert H. Tembeckjian'
Cc: 'sampson@senate.state.ny.us'; 'spotts@senate.state.ny.us'
Subject: Request to Inspect Pursuant to FOIL-- RE: Litigation Challenges to the NYS Commission on Judicial Conduct --Particularly by Complainants

Thank you, Mr. Tembeckjian, but I'm sure you would agree that "the truth" is best gauged not by the volume of litigation, but by its content.

For that reason, I request to inspect – pursuant to FOIL – the files of litigation challenges brought by complainants – continuing the inspection I undertook years ago based on the 1995 list.

Even without doing so, however, I am confident that the most serious and far-reaching litigation challenge brought by a complainant is the Article 78 proceeding, *Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc. acting pro bono publico v. Commission on Judicial Conduct of the State of New York (April 1999-December 2002)* – whose six claims of relief challenging key Judiciary Law provisions and Commission rules was so devastating that neither the Supreme Court, the Appellate Division, nor the Court of Appeals would address them, instead rendering fraudulent judicial decisions without which the Commission would not have survived. This, the Senate Judiciary Committee can **readily** verify for itself from the final motion in the case – my October 24, 2002 motion for leave to appeal to the Court of Appeals.

Please advise when the requested files will be ready for my review.

Thank you.

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

From: Robert H. Tembeckjian [mailto:tembeckjian@SCJC.STATE.NY.US]
Sent: Tuesday, September 22, 2009 7:02 PM
To: elena
Cc: sampson@senate.state.ny.us; spotts@senate.state.ny.us
Subject: Re: Litigation Challenges to the NYS Commission on Judicial Conduct --Particularly by Complainants

Dear Ms. Sassower:

Enclosed are the cases you asked for and my cover letter of today's date, which will also be mailed to you, Senator Sampson and Mr. Spotts. The cases are organized into two lists: litigation commenced against the Commission by complainants, and litigation commenced against the Commission by judges and/or their attorneys. The volume (and sometimes vehemence) of litigation by both groups tends to underscore my argument that disappointed litigants believe the Commission does too little, judges tend to think the Commission does too much, and the truth is we get it just about right.

9/23/2009

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>>> On 9/16/2009 at 11:00 AM, in message <29B84753AB8F4D1E915075F0D578132A@cja001>, elena <elena@judgewatch.org> wrote:

Dear Mr. Tembeckjian,

Attached is my already-faxed letter of today's date.

Thank you.

Elena Sassower, Director
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