

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: 518-257-3183 (2 pages)

BY E-MAIL: lrex@dasny.org

BY CERTIFIED MAIL/RRR: 7002-2030-0007-8572-9020

January 2, 2004

Maryanne Gridley, Chair
Local Government Assistance Corporation
c/o New York State Dormitory Authority
515 Broadway
Albany, New York 12207-2965

RE: Request for information, as well as documents pursuant to F.O.I.L.,
pertaining to special counsel representing the Local Government
Assistance Corporation in its lawsuit against the NYS Legislature

Dear Chairwoman Gridley:

This follows up my brief phone conversation on December 31st with Lori Rex, your assistant at the New York State Dormitory Authority, who asked that I put my request in writing.

Please advise as to the process and procedures by which special counsel was authorized and designated for the Local Government Assistance Corporation's lawsuit against the New York State Legislature involving New York City debt, as well as fee arrangements for and payments to such special counsel. These special counsel have included Robert S. Smith, Esq. and/or the law firm of Kornstein, Veisz, Wexler & Pollard and Guy Miller Struve, Esq. and/or the law firm of Davis, Polk & Wardwell.

How were these lawyers and law firms selected? Was it an open competitive process? Was it by recommendation—and, if so, whose? How many competing candidates were recommended and what was the mechanics of the evaluation?

Pursuant to the Freedom of Information Law [F.O.I.L.: Public Officer's Law, Article VI], request is also made for any and all publicly available documents reflecting the procedures and processes pertaining to the foregoing -- beginning with such written notification as was

A-14

given by the Attorney General, declining to represent the Local Government Assistance Corporation in the lawsuit and including such applications and forms as prospective special counsel were required to complete, the retainer agreements, vouchers, billing statements, and payments.

Inasmuch as the State Senate Judiciary Committee will be scheduling its hearing on Mr. Smith's confirmation to the New York Court of Appeals in the near future, prompt attention is essential. In any event, pursuant to F.O.I.L., your response is required within five business days of receipt of this written request [Public Officers Law §89.3].

Thank you.

Yours for a quality judiciary,

Elena Ruth Sassower

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

7002 2030 0007 8572 9020

**U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

ALBANY, NY 12207

Postage	\$ 0.37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42

Postmark Here
Clerk: KWHYBH
01/02/04

Sent To: *NYS DOMINION AND PART*
Maryanne Gridley, Exec Director
Street, Apt. No., or PO Box No.: *575 Broadway*
City, State, ZIP+4: *Albany, NY 12207-2965*

PS Form 3800, June 2002 See Reverse for Instructions

COMPLETE THIS SECTION
Items 1, 2, and 3. Also complete Restricted Delivery if desired. Name and address on the reverse to return the card to you. Marked to the back of the mailpiece, if space permits.

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery *JAN 05 2004*

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

1. Article Addressed to:
*NYS DOMINION
AND PART
Maryanne Gridley
Executive Director
575 Broadway
Albany, NY 12207-
2965*

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

A-15

Subject: Request for information, as well as documents pursuant to FOIL

Date: 1/2/2004, 11:01 AM

From: Elena Ruth Sassower <judgewatchers@aol.com>

To: lrex@dasny.org

Organization: Center for Judicial Accountability, Inc.

Dear Ms. Rex:

Thank you for your assistance.

Attached is my already-faxed letter to Maryanne Gridley in her capacity as chairwoman of the Local Government Assistance Corporation. A further copy will be mailed.

 1-2-04-gridley.doc (35KB)

Elena Ruth Sassower, Coordinator
Center for Judicial Accountability, Inc. (CJA)
(914) 421-1200

TRANSMISSION VERIFICATION REPORT

TIME : 01/02/2004 10:57
NAME : CJA
FAX : 9144284994
TEL : 9144211200

DATE, TIME	01/02 10:56
FAX NO./NAME	15182573183
DURATION	00:01:08
PAGE(S)	02
RESULT	OK
MODE	STANDARD ECM