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March 2, 2007

Chairman John A. DeFrancisco
New York State Senate Judiciary Committee
Albany, New York 12247

ATT: Carole Luther, Chief of Staff

RE: Narrative statement in support of oral testimony in opposition to Senate confirmation of Chief Judge Judith Kaye's reappointment to the New York Court of Appeals

Dear Ms. Luther:

Enclosed is a superseding version of my narrative statement in support of my oral opposition testimony at the Senate Judiciary Committee's March 6, 2007 public hearing on Chief Judge Kaye's reappointment to the New York Court of Appeals.

It corrects typographical errors, adds citation references, and makes some significant additions, as, for instance, the addition of what are now footnotes 5, 6, and 7.

As discussed, I intend to submit the written narrative statement at the hearing, but to orally present summarizing testimony to fit within whatever time limit is enforced as to all witnesses.

Thank you.

Yours for a quality judiciary,



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

Enclosure