

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

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**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>  
**Sent:** Wednesday, September 26, 2018 4:46 PM  
**To:** 'ecarey@nycourts.gov'; 'Jane Landes'; 'ad3clerksoffice@nycourts.gov'  
**Cc:** 'Brodie, Frederick'; 'Paladino, Victor'  
**Subject:** Consented-to Adjourned Date: CJA v. Cuomo (App. Div. 3rd Dept #527081) -- Order to Show Cause, Returnable Tomorrow -- & NOTICE to the Attorney General,

**TO: Appellate Division, Third Department Chief Motion Attorney Edward Carey**

Pursuant to 1250.4(a)(9) of the Practice Rules of the Appellate Division, kindly calendar the adjourned date of appellants' order to show cause to Monday, October 8, 2018.

Thank you.

Elena Sassower, unrepresented plaintiff-appellant  
on her own behalf, as director of the Center for Judicial Accountability, Inc, & on behalf of the People of the State of New York & the Public Interest  
914-421-1200

**From:** Brodie, Frederick <Frederick.Brodie@ag.ny.gov>  
**Sent:** Wednesday, September 26, 2018 3:57 PM  
**To:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>  
**Cc:** Paladino, Victor <Victor.Paladino@ag.ny.gov>; Underwood, Barbara <Barbara.Underwood@ag.ny.gov>; Sabel, Janet <Janet.Sabel@ag.ny.gov>; Stauffer, Kent <Kent.Stauffer@ag.ny.gov>; Levine, Meg <Meg.Levine@ag.ny.gov>; Dvorin, Jeffrey <Jeffrey.Dvorin@ag.ny.gov>; Mahanna, Brian <Brian.Mahanna@ag.ny.gov>; Bragg, Alvin <Alvin.Bragg@ag.ny.gov>; Mack, Marty <Marty.Mack@ag.ny.gov>; Colangelo, Matthew <Matthew.Colangelo@ag.ny.gov>; Garnett, Margaret <Margaret.Garnett@ag.ny.gov>; Sheth, Manisha <Manisha.Sheth@ag.ny.gov>; Kerwin, Adrienne <Adrienne.Kerwin@ag.ny.gov>; Lynch, Helena <Helena.Lynch@ag.ny.gov>; ecarey@nycourts.gov; 'Jane Landes' <jlandes@nycourts.gov>; ad3clerksoffice@nycourts.gov  
**Subject:** RE: CJA v. Cuomo (App. Div. 3rd Dept #527081) -- Order to Show Cause, Returnable Tomorrow -- & NOTICE to the Attorney General,

Dear Ms. Sassower,

I stand by the arguments in respondents' memorandum in opposition to your motion for reargument, renewal, and disqualification. I also stand by the arguments in respondents' brief on the merits. Neither the reply memorandum nor the brief will be withdrawn.

I do not object to adjourning the motion's return date to October 5 or 8 as requested.

Very truly yours,

Frederick A. Brodie  
Assistant Solicitor General  
New York State Office of the Attorney General

Appeals & Opinions Bureau  
The Capitol  
Albany, NY 12224-0341  
(518) 776-2317  
[Frederick.Brodie@ag.ny.gov](mailto:Frederick.Brodie@ag.ny.gov)

**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Wednesday, September 26, 2018 3:50 PM  
**To:** [ecarey@nycourts.gov](mailto:ecarey@nycourts.gov); 'Jane Landes' <[ilandes@nycourts.gov](mailto:ilandes@nycourts.gov)>; [ad3clerksoffice@nycourts.gov](mailto:ad3clerksoffice@nycourts.gov)  
**Cc:** Brodie, Frederick <[Frederick.Brodie@ag.ny.gov](mailto:Frederick.Brodie@ag.ny.gov)>; Paladino, Victor <[Victor.Paladino@ag.ny.gov](mailto:Victor.Paladino@ag.ny.gov)>; Underwood, Barbara <[Barbara.Underwood@ag.ny.gov](mailto:Barbara.Underwood@ag.ny.gov)>; Sabel, Janet <[Janet.Sabel@ag.ny.gov](mailto:Janet.Sabel@ag.ny.gov)>; Stauffer, Kent <[Kent.Stauffer@ag.ny.gov](mailto:Kent.Stauffer@ag.ny.gov)>; Levine, Meg <[Meg.Levine@ag.ny.gov](mailto:Meg.Levine@ag.ny.gov)>; Dvorin, Jeffrey <[Jeffrey.Dvorin@ag.ny.gov](mailto:Jeffrey.Dvorin@ag.ny.gov)>; Mahanna, Brian <[Brian.Mahanna@ag.ny.gov](mailto:Brian.Mahanna@ag.ny.gov)>; Bragg, Alvin <[Alvin.Bragg@ag.ny.gov](mailto:Alvin.Bragg@ag.ny.gov)>; Mack, Marty <[Marty.Mack@ag.ny.gov](mailto:Marty.Mack@ag.ny.gov)>; Colangelo, Matthew <[Matthew.Colangelo@ag.ny.gov](mailto:Matthew.Colangelo@ag.ny.gov)>; Garnett, Margaret <[Margaret.Garnett@ag.ny.gov](mailto:Margaret.Garnett@ag.ny.gov)>; Sheth, Manisha <[Manisha.Sheth@ag.ny.gov](mailto:Manisha.Sheth@ag.ny.gov)>; Kerwin, Adrienne <[Adrienne.Kerwin@ag.ny.gov](mailto:Adrienne.Kerwin@ag.ny.gov)>; Lynch, Helena <[Helena.Lynch@ag.ny.gov](mailto:Helena.Lynch@ag.ny.gov)>  
**Subject:** CJA v. Cuomo (App. Div. 3rd Dept #527081) -- Order to Show Cause, Returnable Tomorrow -- & NOTICE to the Attorney General,

**TO: Appellate Division, Third Department Chief Motion Attorney Edward Carey**

This is to request an adjournment of the return date of my order to show cause, signed by Appellate Division, Third Department Presiding Justice Elizabeth Garry on September 12, 2018 and made returnable tomorrow, September 27, 2018, so that I may have the opportunity to submit reply papers, in the event that Assistant Solicitor General Brodie does not withdraw his September 24, 2018 opposing memorandum, as is his duty to do because it is fraudulent, from beginning to end.

By copy of this e-mail to Assistant Solicitor General Brodie – and to supervising and managerial attorneys in the attorney general’s office, including Attorney General Underwood – I hereby give NOTICE of their duty to withdraw the memorandum, so as to obviate the burden of my having to reply thereto and of the Court having to adjudicate its fraud and my entitlement to relief pursuant to 22 NYCRR §130-1.1, Judiciary Law §487, and §100.3D(2) of the Chief Administrator’s Rules Governing Judicial Conduct.

Inasmuch as my reply brief on the appeal is due next Friday, October 5<sup>th</sup> – and the Court will be benefited by having my reply brief before it in determining this motion – I ask that the motion be adjourned to next Friday, October 5<sup>th</sup>, or Monday, October 8<sup>th</sup>.

There is no prejudice to the respondents by the granting of this request, which, as aforesaid, is in their interest, so that they may withdraw the memorandum.

Thank you.

Elena Sassower, unrepresented plaintiff-appellant  
on her own behalf, as director of the Center for Judicial Accountability, Inc, & on behalf of the People of the State of New York & the Public Interest  
914-421-1200

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