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By Priority Mail

March 29, 2007

Appellate Division, Second Department
45 Monroe Place
Brooklyn, New York 11201

ATT: James Edward Pelzer, Clerk of the Court

RE: Application for Permission to File Oversized Brief
Sassower, et al. v. The New York Times Company, et al.
Appellate Division, Second Dept: #2006-8091; #2006-10709; #2007-186

Dear Mr. Pelzer:

Pursuant to §670.10.3(e) of the Rules of the Appellate Division, Second Department, appellants request permission to file an oversized brief of the above consolidated appeals.

Attached is the draft brief, whose word count is 14,816 – representing an overage of 816 words. Of these, several hundred are record citations.

Such minimal overage is necessary as we are here appealing two separate decisions and orders, dated July 5, 2006 and September 27, 2006 – for which we filed two separate notices of appeal (dated August 21, 2006 and December 21, 2006) and as to which we paid two separate fees. Were these two appeals not consolidated, we would be entitled to perfect briefs with a cumulative word count of 28,000.

Needless to say, because these consolidated appeals are about judicial misconduct – not error – we were required to show that the appealed-from decisions and orders, as well as the appealed-from August 1, 2006 judgment – were not just factually and legally baseless, but knowingly so. The within draft brief meets this additional appellate burden.

To accommodate additional record citations and modifications, we would appreciate permission to file a brief of 14,900 words.

Thank you.

Very truly yours,



ELENA RUTH SASSOWER
Plaintiff-Appellant *Pro Se*

Enclosure

cc: Eli Vigliano, Esq.