

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

ELENA RUTH SASSOWER, individually, and as  
Coordinator of the Center for Judicial  
Accountability, Inc., CENTER FOR JUDICIAL  
ACCOUNTABILITY, INC. and The Public  
as represented by them,

Plaintiffs,

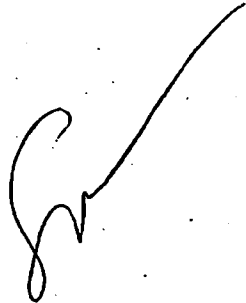
-against-

THE NEW YORK TIMES COMPANY, The New  
York Times, ARTHUR SULZBERGER, JR., BILL  
KELLER, JILL ABRAMSON, ALLAN M. SIEGAL,  
GAIL COLLINS, individually and on behalf of  
THE EDITORIAL BOARD, DANIEL OKRENT,  
BYRON CALAME, MAREK FUCHS, and  
DOES 1-20,

Defendants.

Index No. 05-19841

JUDGMENT

  
**FILED**  
AUG - 1 2006  
TIMOTHY C. IDOMI  
COUNTY CLERK  
COUNTY OF WESTCHESTER

WHEREAS, plaintiffs Elana Ruth Sassower, individually, and as Coordinator of the Center for Judicial Accountability, Inc., and the Center for Judicial Accountability, Inc., and The Public as represented by them (collectively, "Plaintiffs"), commenced this action asserting claims for libel and journalistic fraud on November 4, 2005 by filing a summons with notice and on or about March 21, 2006 by serving a verified complaint against defendants The New York Times Company, The New York Times, Arthur Sulzberger, Jr., Bill Keller, Jill Abramson, Allan M. Siegal, Gail Collins, individually and on behalf of the Editorial Board, Daniel Okrent, Byron Calame, Marek Fuchs and Does 1-20 (collectively, "The Times"); and The Times having moved this Court to dismiss the complaint for failure to state a claim upon which relief may be granted by notice of motion, dated April 13, 2006;

NOW, upon the notice of motion of The Times, dated April 13, 2006; and the affidavit of George Freeman, Esq., sworn to April 13, 2006, with exhibits attached; the memorandum in support of motion to dismiss, dated April 13, 2006; plaintiffs' Notice of Cross Motion dated June 1, 2006 together with the affidavit of Elena Sassower, sworn to June 1, 2006 with exhibits attached; plaintiff's memorandum of law dated June 1, 2006; the Reply Affidavit of George Freeman, Esq. sworn to June 9, 2006 with exhibit attached; and the Reply Affidavit of Elena Sassower, sworn to June 13, 2006; and after due consideration, and oral argument held June 14, 2006, the Court having rendered its decision and order, dated July 5, 2006 and entered by the Clerk of this Court on July 6, 2006, which granted The Times's motion to dismiss the complaint on the grounds set forth therein and denied in whole Plaintiffs' cross motion;

NOW, upon motion of George Freeman, attorney for The Times, it is

ADJUDGED AND DECREED, that The Times's motion to dismiss the complaint is granted; and it is further

ADJUDGED AND DECREED, that plaintiffs' verified complaint, and all of the claims made therein, be and hereby are dismissed with prejudice in their entirety; and it is further

ADJUDGED AND DECREED, that plaintiffs' cross motion, and all of the claims made therein, is denied.

Judgment entered this 15<sup>th</sup> day of August, 2006.

  
Clerk