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RECEIVED

AUG - 7 2006

TIMOTHY C. IDONI
COUNTY CLERK
COUNTY OF WESTCHESTER

BY HAND (5 pages)

August 7, 2006

Westchester County Clerk Tim Idoni
111 Dr. Martin Luther King, Jr. Boulevard
White Plains, New York 10601

RECEIVED

TIMOTHY C. IDONI
COUNTY CLERK
COUNTY OF WESTCHESTER

RE: CLARIFYING THE RECORD:

Sassower, et al. v. The New York Times Company, et al.
Westchester Co. Index #05-19841

Dear Mr. Idoni:

Enclosed herewith is the computerized docket sheet for the above-entitled case, which I obtained from the County Clerk's Office at 4:42 p.m. on Friday, August 4th. Such reflects the filing of a "declaratory judgment" on August 1st.

Earlier today I telephoned Bruce Pearl, Law Clerk to County Court Judge Gerald E. Loehr. He stated to me that he knew nothing about any "declaratory judgment" – and that the last document that Judge Loehr had issued in the case (which was also his first) was his July 5th decision and order, filed with the County Clerk's Office on July 6th.

Therefore, please clarify why the computerized docket sheet reflects the filing of a "declaratory judgment" – which I was unable to view at the County Clerk's Office on August 4th – either the paper document or *via* the computerized docket -- because I was told it was being scanned.

Please be advised that the County Clerk's file of the case, which I requisitioned and examined on August 4th, contained NONE of the motion papers that were before Judge Loehr when he rendered the July 5th decision and order. Rather, the contents of the County Clerk's file consisted of the paperwork of my November 4, 2005 purchase of the index number for the case, plaintiffs' summons with notice, which I filed on November 4, 2005, the two affidavits of service for the summons with notice, which I filed on March 3 and March 16, 2006, and plaintiffs' original verified complaint, which I filed on March 30, 2006..

Additionally, it is possible that none of the motion papers that were before Judge Loehr in rendering the July 5th decision and order have been scanned – except for defendants' notice of motion – which is the entirety of what can be downloaded from the docket entry entitled "motion", filed with the County Clerk's Office on July 6th – the same date as Judge Loehr's

EX PP-1

August 7, 2006

decision and order. As for the "supporting pleadings", also docketed as filed on July 6th, it is unclear what these are, as the download failed when I tried it and when it was tried by staff assisting me.¹

As plaintiffs will be timely filing a notice of appeal from Judge Loehr's July 5th decision and order, as well as making a reargument/renewal motion with respect thereto, we require an accurate docket. In that connection, please also confirm that the County Clerk's Office does not have any record of defendants' filing of their notice of entry for the July 5th decision and order, which they dated July 21st and served upon plaintiffs by mail. Such document is not reflected by the computerized docket and was not in the County Clerk's file.

Thank you for your assistance.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Plaintiff *Pro Se*

Enclosures: (1) Computerized docket sheet, as of August 4, 2006: 4:42 p.m.
(2) Defendants' Notice of Entry of Order, dated July 21, 2006

cc: John Mongero, Deputy County Clerk
Westchester County Court Judge Gerald E. Loehr
ATT: Bruce Pearl, Law Clerk
George Freeman, Assistant General Counsel/The New York Times Company
Eli Vigliano, Esq.

¹ Similarly, plaintiffs' complaint, filed on March 30th, could also not be downloaded.

Items filed in the case book:

Case Book	Date	Defendant Name	Plaintiff Name	Comment Action
19841-05	2006/08/01	DECLARATORY JUDGMENT		04
19841-05	2006/07/06	DECISION & ORDER	LOEHR	30
19841-05	2006/07/06	NOTICE OF TRIAL ASSIGNMENT		72
19841-05	2006/07/06	MOTION		11
19841-05	2006/07/06	SUPPORTING PLEADINGS		36
19841-05	2006/03/30	COMPLAINT		89
19841-05	2006/03/16	AFFIDAVIT OF SERVICE		03
19841-05	2006/03/03	AFFIDAVIT OF SERVICE		03
19841-05	2005/11/04	NEW YORK TIMES CO	SASSOWER ELENA R	00
19841-05	2005/11/04	SUMMONS & NOTICE		01

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.

X

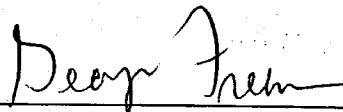
Index No.
05-19841

NOTICE OF ENTRY
OF ORDER

X

PLEASE TAKE NOTICE that attached hereto is a true and correct copy of
a Decision and Order in this action duly entered in the office of the Clerk of the within
Court on July 6, 2006.

Dated: New York, New York
July 21, 2006



George Freeman
THE NEW YORK TIMES COMPANY
LEGAL DEPARTMENT
229 W. 43rd Street
New York, New York 10036
(212) 556-1558
Attorney for Defendants

TO:

Elena Sassower, Pro Se
16 Lake Street, Apt. 2C
White Plains, NY 10603

Eli Vigliano, Esq.
4901 Henry Hudson Parkway
Bronx, NY 10471