

## Center for Judicial Accountability

---

**From:** Center for Judicial Accountability <elena@judgewatch.org>  
**Sent:** Monday, March 28, 2016 6:36 PM  
**To:** 'Blair Horner (bhorner@nypirg.org)'; 'Blair Horner (Hhorner106@gmail.com)'; 'lawrence.norden@nyu.edu'; 'denora.getachew@nyu.edu'; 'Barbara Bartoletti (bbheck1@yahoo.com)'; 'lwwny@lwwny.org'; 'Susan Lerner (slerner@commoncause.org)'; 'pkatze@commoncause.org'; (ddadey@citizensunion.org); (rfauss@citizensunion.org); 'twerber@citizensunion.org'; 'jkaehny@reinventalbany.org'  
**Subject:** Lawsuit challenge to the constitutionality & lawfulness of NYS' budget "process" -- including 3-men-in-a-room budget deal-making  
**Attachments:** 3-28-16-press-release-letterhead.pdf

Dear Blair, Larry, Barbara, Susan, Dick, and John,

This follows up my phone calls and voice mail messages, advising that our nonpartisan, nonprofit citizens' organization, Center for Judicial Accountability, Inc. (CJA,) has brought what appears to be the first-ever legal challenge to the constitutionality of "three-men-in-a-room" budget deal-making.

As most of you know, for the past two years, CJA has been litigating a citizen-taxpayer action, on behalf of the People of the State of New York and public interest, challenging the constitutionality and lawfulness of the judiciary and legislative budgets for fiscal years 2014-2015 and 2015-2016 and the Governor's budget bills embracing them. Last Wednesday, March 23, 2016, we brought an order to show cause to expand the citizen-taxpayer action to fiscal year 2016-2017, setting forth the facts and law by a verified second supplemental complaint. Its sixteenth cause of action challenges the constitutionality of "three-men-in-a-room" budget deal-making, *as unwritten and as applied.*

CJA's website, [www.judgewatch.org](http://www.judgewatch.org), posts the record of the entire two years of litigation in the case. It is accessible from our prominent homepage link: "CJA's Citizen-Taxpayer Action to End NYS' Corrupt Budget 'Process' & Unconstitutional 'Three Men in a Room' Governance". For your convenience, here's the direct link to the March 23, 2016 verified second supplemental complaint: <http://www.judgewatch.org/web-pages/searching-nys/budget/3-23-16-osc-2nd-supp-complaint.htm> .

We would greatly benefit from your comments and suggestions – and not only with respect to the sixteenth cause of action, but with respect to the other fifteen causes of action. Indeed, as the cause of good government would best be served by your *amicus curiae* assistance/intervention in the citizen-taxpayer action, I respectfully ask that you deem this e-mail my request for same.

Meantime, attached is the press release I have begun to circulate. Kindly bring it to the attention of your many media contacts – and, in the case of Citizens Union, which has its own in-house "Gotham Gazette", that it be submitted for coverage. In any event, I trust you will have no objection if I invite such members of the media who contact me in response to the press release to contact you for further informed comment about the case.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
914-421-1200  
[www.judgewatch.org](http://www.judgewatch.org)