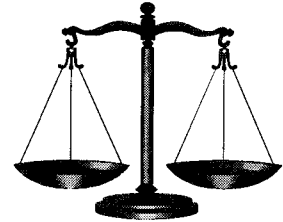


**C**ENTER *for*  
**J**UDICIAL  
**A**CCOUNTABILITY, INC.



Box 69, Gedney Station  
White Plains, New York 10605-0069

Tel: 914-421-1200  
Fax: 914-684-6554

E-mail: [judgewatch@aol.com](mailto:judgewatch@aol.com)  
Web: <http://www.judgewatch.org>

*Doris L. Sassower, Director*  
(Direct Line: 914-997-1677)

**FAX COVER SHEET**

This fax transmission consists of a total of 5 page(s), including this cover page. If you have not received all the pages, please call the sender at 914-997-1677.

DATE: 1/1/98 TIME: (New York time)

TO: Gannett Newspapers, Ron Patato et al.

FAX #: 696-8396 RE: your defamatory 12/7/97 article

FROM: DLS

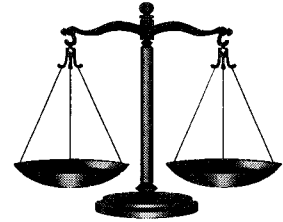
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**MESSAGE:**

*my self explanatory 2 letters submitted herewith.*

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*Doris L. Sassower, Director*  
(Direct Line: 914-997-1677)

VIA FAX: 914-696-8396

January 1, 1998

Ron Patafio, Editorial Page Editor  
Gannett Suburban Newspapers  
One Gannett Drive  
White Plains, NY 10804

cc:

Robert W. Ritter, Editor/Vice-President  
Phil Reisman, News Editor  
Bill Dentzer  
David McKay Wilson  
Bruce Golding

Dear Mr. Patafio:

This records the fact that we have still had no response to my December 28, 1997 fax in reply to your false and defamatory December 27, 1997 news article "Judicial reform group challenges O'Rourke judgeship". When I inquired about it on Tuesday, December 30th, I was informed that you were out Monday and Tuesday, and no decision could be made about it until your return the following day, Wednesday. On Wednesday morning, you informed me that you had not yet discussed the matter with Mr. Ritter, and that he had indicated in a note to you that he wished to speak to you about it. You indicated he would be in later, and promised to have an answer for me in time for me to report it at CJA's Board meeting later in the day. I checked back with you twice later on and before conclusion of that meeting shortly before 5 p.m., at which point you advised that Mr. Ritter had not been in and was unreachable. Since neither you nor he were scheduled to work today, New Year's Day, you indicated the matter would have to wait until tomorrow.

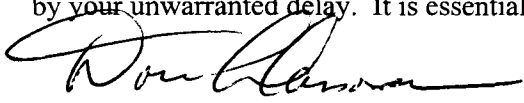
You further informed me that it was your understanding that following my fax, an item had been published in Gannett's "correction box", concerning the false statement that I am "a disbarred attorney". Neither I nor other CJA members who regularly read the Westchester paper had seen it. Although I requested, and was promised, a copy be faxed to me, I have not yet received it. However, as read to me, it was plainly inadequate:

there was no apology; it was not given the same play as the defamatory article so as to maximize circulation of the correction. It actually repeats a defamation by starting out by first identifying me as having been indefinitely suspended with no date of the suspension stated, as if this were new information, and then failing to set forth any counter-balancing facts. You fail to identify my contentions as to its dueprocessless and retaliatory nature, my federal civil rights action against the judges who suspended me. As Gannett was previously informed, that case is on its way to the U.S. Supreme Court. The "correction" also fails to correct the false and misleading statement that I was "suspended in 1991 ... for failing to undergo a court-ordered competency test." Such statement would lead readers to assume that the suspension order contained findings or reasons to that effect, when, as Gannett has repeatedly been advised, was not the case at all. Nor do you meet the other objections set forth in my December 28 fax.

At the same time, most shockingly, Gannett omitted all reference to CJA's opposition to the O'Rourke nomination in its continuing coverage of the final days of his incumbency, editorially wishing him well on his forthcoming judgeship, which from papers supplied to Gannett by my daughter on December 26 and our critique in Gannett's possession for more than five years you know he is "thoroughly unqualified" and that his recent "highly qualified" ratings were not the product of compliance with the requirements of the Governor's own Executive Order #10, but are a product of dishonest ratings, as were his prior "qualified" ratings from the American Bar Association and New York City Bar Associations, which we showed in our 1992 critique. Obviously, Gannett wishes the public to accept the current state court judgeship as inevitable, rather than letting it know what CJA is actively doing about it and how they can help in our mounting opposition to defeat it, just as we succeeded in defeating his federal nomination back in 1992 with his federal nomination.

Gannett's failure to publish a word about CJA's efforts to mount public opposition against the O'Rourke nomination in its year-end wrapup stories about O'Rourke is duplicated by its continuing failure to report my winning the Giraffe Award, a national honor given to individuals who "stick their necks out for the public good" -- despite receipt of a press release announcing it weeks ago. This, even though, after my Monday fax, I was told that "a brief item" about it would appear in your Our Town column today. Even that insignificant treatment of a news release deserving of news or feature coverage did not occur.

I am transmitting herewith another copy of my December 28, 1997 fax, with revisions made necessary by your unwarranted delay. It is essential that we hear from you definitively tomorrow.



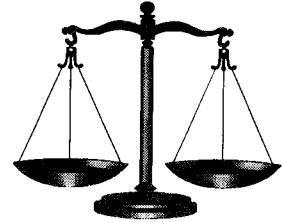
**DORIS L. SASSOWER**, Director

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**Center for Judicial Accountability, Inc.** is a national, nonpartisan, nonprofit citizens' organization documenting the dysfunction, politicization, and corruption of the closed-door processes of judicial selection and discipline on federal, state and local levels so as ensure that only the most qualified lawyers become, and remain, judges.

Revised 12/28/97 letter

**C**ENTER *for*  
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***Doris L. Sassower, Director***  
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VIA FAX: 696-8396

January 1, 1998

Ron Patafio, Editorial Page Editor  
Gannett Suburban Newspapers  
One Gannett Drive  
White Plains, NY 10804

Phil Reisman, News Editor  
Bill Dentzer  
David McKay Wilson

IN REPLY

This is to put on record that your December 27, 1997 news article "Judicial reform group challenges O'Rourke judgeship" is false and defamatory of me, my daughter, and the Center for Judicial Accountability, Inc. (CJA). We demand a retraction, apology, and publication of a proper story reporting the true facts about my status at the bar, CJA, its efforts to stop this unworthy nomination, and the basis of our opposition.

Obviously, those responsible for the story were bent on discrediting me and CJA's unique and important work. Clearly, that is why Gannett has at the same time suppressed the newsworthy information about my winning the Giraffe Award, a national honor given to individuals who "stick their necks out for the public good" -- despite your receipt of a release announcing it weeks ago. We demand that same be published in full as part of your retraction and apology.

So there is no doubt about it, I am not, and never have been, a "disbarred lawyer", or even a lawyer suspended under a final order. Nor was I "suspended in 1991 ... for failing to undergo a court-ordered competency test." The suspension order contained no findings of any kind or any reasons, and there was no legal or factual basis for such illegal and unconstitutional order.

By way of apology, we also demand that Gannett publish a "Who We Are" piece about CJA which it refused to do previously, claiming we were "too insubstantial" an organization, even while we were being featured on national radio and television, quoted in media across the country, and CJA's web site <http://www.judgewatch.org> was receiving thousands of hits regularly, including visits from the justices of the highest court of our land.

Gannett was well aware of our vigorous public interest advocacy because we have kept it informed of our ongoing activities and growing recognition, virtually all of which Gannett declined to publish. Your reporter, Bill Dentzer, was

Revised 12/28/97 lehv

explicitly informed by my daughter that CJA is a national organization, with members in over 30 states, which emerged from a local citizens' group called the Ninth Judicial Committee. She informed him of its genesis, its lawsuit to challenge the manipulation of judicial elections, and the politically-motivated, retaliatory suspension of my law license. She also expressly identified that suspension as having been without any written charges, without any hearing, without findings or reasons, and without any right of appellate review. Most of her conversation, which was lengthy, detailed the 50-page critique we submitted to the Senate Judiciary Committee in 1992 concerning Andrew O'Rourke's judicial qualifications, as well as the failure of the judicial screening process. His story claiming that our opposition was based on Mr. O'Rourke's "lack of litigation experience" is untrue. It comes neither from his conversation with my daughter nor from CJA's December 26th letter to Mr. O'Rourke, about which Mr. Dentzer's article pretends to be reporting, a copy of which he had, and certainly not from the critique. That telephone conversation and those documents make eminently clear that our opposition rested on Mr. O'Rourke's responses to the Senate Judiciary questionnaire, which showed, as our critique, based on a six-month study and documented with 60 exhibits proved, that he had neither the competence, integrity, or temperament to be a judge.

Your article failed to report that our critique exposed Mr. O'Rourke's excuses that "most of his records were lost, misplaced, or thrown out by his former law partner", offered to explain his failure to supply more than three cases, where *ten* were called for to show his trial experience, was a complete sham -- which the public was entitled to know. Such cover-up by Gannett of our documented critique, fully substantiating its conclusion that Mr. O'Rourke was "thoroughly unqualified" for the federal judgeship to which he had been nominated in 1991, made possible his present state court nomination

Mr. O'Rourke's confirmation by the State Senate is expected soon -- unless the public acts swiftly to prevent that by joining in CJA's letter-writing campaign -- to the Governor to withdraw this nomination, to his Judicial Screening Committee to withdraw its "highly qualified" rating as one obtained by Mr. O'Rourke's fraud and/or failure to disclose CJA's earlier adverse rating of his qualifications, and to Lieutenant Governor Betsy McCaughey Ross, Presiding Officer of the Senate, not to permit the nomination to come to the floor for a vote until after a public hearing is held at which CJA and others are allowed to be heard in opposition to it.

We are available for a meeting with Mr. Ritter and the Editorial Board to address these issues. It's time Gannett stopped protecting its own interests and focused, instead, on its overriding duty to protect the public's interest in an honest judiciary and good government.

**DORIS L. SASSOWER** is director and co-founder of the Center for Judicial Accountability, Inc.

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