

## CENTER for JUDICIAL ACCOUNTABILITY, INC.

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Elena Ruth Sassower, Coordinator

BY FAX & MAIL: 518-426-6036 (7 pages)

May 3, 2002

John Caher, Albany Bureau Chief  
New York Law Journal  
29 Elk Street  
Albany, New York 12207

RE: "Law Day" at the Court of Appeals  
*Elena Ruth Sassower, Coordinator of the Center for Judicial  
Accountability, Inc., acting pro bono publico v. Commission on Judicial  
Conduct of the State of New York*

Dear John:

As you were too rushed to speak by phone when I called yesterday at approximately 3:30 p.m., I have taken the time to write.

I was disappointed – though not surprised – by your article about the Court of Appeals' annual Law Day celebration in yesterday's Law Journal – which failed to report on CJA's gift-wrapped contribution to "Law Day" at the Court<sup>1</sup>. *With your own eyes*, you saw this contribution in the Clerk's Office. Indeed, you not only viewed "from the outside" the "draped in the flag", ribbon-decorated boxes, but the organized contents of all five cartons of documentation which, as I explained, substantiate my appeal of right and my motion to disqualify the Court's judges.

In the wake of Attorney General Spitzer's "Law Day" speech on "The Crisis of Accountability" – about which your article dutifully reported under the heading "Accountability" -- I pulled out my voluminous July 28, 1999 omnibus motion from the carton containing the record in Supreme Court/New York County and, from the carton containing the record in the Appellate Division, First Department, pulled out my voluminous August 17, 2001 motion. I showed you that each motion sought the Attorney General's disqualification and sanctions against him for his verifiably fraudulent defense tactics, of which he had *personal* knowledge, and reminded you that these motions had each been denied by the courts, *without* reasons and *without* findings, notwithstanding the evidentiary showing on these motions was sufficient to be grounds for

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<sup>1</sup> As previously discussed with you, Metroland "took the lead" in reporting the story in its April 25-May 1 issue. In the event you did see the issue, enclosed is a copy of Erin Sullivan's article, "Appeal for Justice".

disbarment proceedings against a private attorney. As you know, including from my November 30, 2001 letter to Kris Fischer – a copy of which I sent you under my December 27, 2001 coverletter– irrespective of whether the Court takes review of this case, the irrefutable documentary proof it contains about Attorney General Spitzer’s on-the-job conduct would rightfully doom his re-election prospects – and end his legal career<sup>2</sup>.

I also specifically pointed out to you, and lifted from the two cartons containing the record of my lawsuit, the copies of the physically-incorporated files of the two other lawsuits against the Commission: *Doris L. Sassower v. Commission* and *Michael Mantell v. Commission*. This, in the context of repeating to you the READILY-VERIFIABLE fact that the Commission has been the beneficiary of FIVE fraudulent judicial decisions without which it would NOT have survived.

IF you are *not* going to discharge your journalistic duty to the legal community to report on the serious and substantial issues DOCUMENTED by the appeal, including the evidence from this lawsuit pertaining to the corruption of the “merit selection” process to the Court of Appeals, the copies of the Jurisdictional Statement and disqualification motion which I gave you *in hand* when we were in the Clerk’s Office must be forwarded to your superiors at the Law Journal: Kris Fischer, George Dillehay, and the Board of Editors.

As May 20<sup>th</sup> is the return date of my “Law Day” disqualification motion, I would appreciate if you would advise me by the end of next Wednesday, May 8<sup>th</sup> – which is my birthday -- whether you will be writing a story. That way there will be enough time to go up the supervisory ladder, should that be necessary.

I would also appreciate if you would follow up with Ms. Fischer to see whether she has located the copy of the record before the Appellate Division, First Department, which I hand-delivered for her on November 30<sup>th</sup>, MORE THAN FIVE MONTHS AGO. This, in response to her request that I provide her with a copy of the appellate briefs so that she could examine them for purposes of deciding whether a story should be written about a case whose dismissal by Justice Wetzel the Law Journal had featured as a “Decision of Interest”. If she has NOT located the appellate record and if you wish to at least examine the appellate briefs and my subsequent motions in the Appellate Division, First Department for reargument<sup>3</sup> and leave to appeal *before* making a final decision as to the reporting obligation you owe to the legal community that the

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<sup>2</sup> For your convenience, I will mail you a further copy of my December 27, 2001 letter to you, enclosing my November 30, 2001 letter to Ms. Fischer.

<sup>3</sup> A copy of my reargument motion was hand-delivered for Ms. Fischer on January 17, 2002, the same day I filed it with the Appellate Division, First Department, under a covernote to her. After our phone conversation on April 5<sup>th</sup>, I faxed you a copy of this covernote as well as a copy of my prior January 7<sup>th</sup> letter to her.

May 3, 2002

Law Journal purports to serve, please let me know and I will PROMPTLY send copies to you.

Thank you.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator  
Center for Judicial Accountability, Inc. (CJA)

P.S. Later today I will be hand-delivering to Attorney General Spitzer's New York office a letter concerning his "Law Day" speech and transmitting to him a copy of the "Law Day" submissions in my appeal whose newsworthy significance you have yet to decide.