

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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By Priority Mail

February 7, 1995

Ms. Jane Fritch
Investigative Projects Editor
Metro Section
The New York Times
229 West 43rd Street
New York, New York 10036

Dear Ms. Fritch:

Following up our telephone conversation last week--and your particular interest in the retaliatory suspension of my mother's license--I enclose, as discussed, a copy of my mother's Verified Complaint in her federal action, Sassower v. Mangano, et al., 94 Civ. 4514, describing her suspension in detail. Twenty copies of that Verified Complaint were served upon the twenty justices of the Appellate Division, Second Department on October 17, 1994.

As we have over and over again made known to Times' reporters--to absolutely no avail--we have full documentation of the explosive allegations of judicial retaliation, which we would be pleased to make available. In that connection, I refer you to my October 3, 1994 letter to Joseph Berger, the Times' Westchester Bureau Chief. In pertinent part that letter stated:

"We are ready to prove to you--indisputably and based on the underlying files--that there is no legal or factual basis for the suspension and that its issuance and perpetuation by the Appellate Division, Second Department is a vicious retaliation against my mother for her activities as a judicial 'whistleblower'. Such serious contention was first raised by my mother immediately upon her suspension more than three years ago and repeated in my mother's October 24, 1991 letter to Governor Cuomo, calling for the appointment of a special prosecutor..." (at p.2).

If you have not already done so, I again request that you read my October 3, 1994 letter to Mr. Berger (Ex. "O" to my 11/27/94 ltr to Hilton Kramer), as well as my mother's October 24, 1991 letter to Governor Cuomo (Ex. "E" to my 11/27/94 ltr to Hilton Kramer).

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Unfortunately, it was not my impression that you had read either letter when you telephoned me last Thursday.

As I pointed out, my mother's October 24, 1991 letter to Governor Cuomo attached a copy of the three-year judge-trading Deal. In view of your question to me "what's wrong with it?", meaning the Deal, may I suggest that you solicit "expert" opinion about it from local law school professors as to whether they view it as legal, ethical, and constitutional. I'm sure they would be most pleased to speak with a Times reporter.

For present purposes, I enclose a copy of my mother's oral argument before the Appellate Division, Third Department in Castracan v. Colavita on March 25, 1991. At page 4 begins a section entitled "What was illegal about the cross-endorsements deal at issue?", at page 7 begins a section entitled "What is the deal unethical", at page 8 begins a section entitled "Why was it Against the Public Interest",

Finally, as we discussed together, my mother's cert petition to the U.S. Supreme Court must be filed by February 27, 1994. To give you an idea of how pivotal the retaliation issue is--and how newsworthy the cert petition--I enclose a draft copy of the section entitled "Political Context", which opens the "Factual Background" portion of the petition.

We look forward to hearing from you soon--and answering what we trust will be your many probing questions.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator

Enclosures: (a) federal complaint, Sassower v. Mangano, et al.
(b) 3/25/91 oral argument: Castracan v. Colavita
(c) cert petition:
"Factual Background: Political Context"

P.S. In view of your statement to me that what you do is totally separate from the editorial side of the Times, it is imperative that my compendious November 27, 1994 and January 17, 1995 letters be reviewed by members of the Times' editorial board--the January 17, 1995 letter in particular--BEFORE they write additional editorials on what they purport to be "merit selection".