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25 pages

To: The New York Times, Metro Desk
ATT: Joyce Purnick, Jerry Gray, etc.

From: Elena Ruth Sassower, Coordinator

Date: February 2, 1998

RE: Andrew O'Rourke waiver

Eventually, the Times will "catch up" on the O'Rourke waiver story. Therefore, we enclose a copy of our January 30th letters to the OCA -- calling upon Chief Administrative Judge Lippman to reconsider the waiver, rescind it, and to investigate the conduct of OCA counsel in connection with its misrepresentation of the law, on which he relied in granting the waiver.

The OCA misrepresentation of the law seemd to have resulted in Gannett's distortion of the issue in its Saturday's editorial, "*Governor Should Explain Double Dip*", which ends up accusing Senators Leichter and Dollinger among the Democrats of playing politics by their opposition to the O'Rourke waiver, when they did not oppose his confirmation. Gannett's incorrect view is that the Senators should have known that "the rules" entitled Mr. O'Rourke to get his \$80,000 pension on top of his \$113,000 judicial salary.

As you know, the Senators' letter to Chief Judge Lippman about the waiver was featured in your January 29th Metro News Brief, "*Ex-County Chief's Deal on Pension is Questioned*".

Elena Ruth
Sassower