

Subj:	Scheduling for December 3rd, 11th, etc.
Date:	11/25/02 9:20:03 AM Eastern Standard Time
From:	<u>Judgewatchers</u>
To:	<u>mckinley@nytimes.com</u>

TO: James McKinley, NYT

FROM: Elena Sassower, Coordinator
Center for Judicial Accountability, Inc. (CJA)

RE: **Scheduling for December 3rd, 11th, etc.**

DATE: November 25, 2002

Having received no response from you to my November 11th fax *and* e-mail and then again no response to my November 18th fax *and* e-mail, I called your office on Wednesday, November 20th. Ms. Shatraw told me that you are on a two-week vacation until Monday December 2nd.

As I assume that, at least occasionally, you check your e-mail -- vacation notwithstanding -- please be advised that I have tentatively scheduled with the Senate Judiciary Committee to review publicly-available documents on Governor Pataki's judicial appointments at the Committee at noon on Tuesday, December 3rd. **WILL THAT BE A CONVENIENT TIME FOR YOU TO ACCOMPANY ME TO THE COMMITTEE?**

In the event you are unaware, Senator James Lack, who has headed the Senate Judiciary Committee since at least 1996, is stepping down. It is, therefor, VITAL to review these materials BEFORE they get "lost" in transition and while those "in the know" and from whom you can ask pertinent questions are still "in charge".

As to the upcoming vacancy on the Court of Appeals, there has been no announcement as yet from the Commission on Judicial Nomination as to its short-list of nominees, but it is expected within the week.

PLEASE ADVISE IF IT WILL BE YOU OR ANOTHER REPORTER WHO WILL BE REPORTING ON THIS VACANCY AND GOVERNOR PATAKI'S FOURTH PICK FOR THE COURT. Obviously, if it is another reporter, I need to make my contacts with him or her ASAP.

Finally, a forum entitled "*Judging the Judges: The New York State Commission on Judicial Conduct*" is being jointly sponsored by the Fund for Modern Courts (a favorite NYT source) and the NYS Bar Association (also a preferred NYT source). It is scheduled for Wednesday, December 11th, from 11:30-2:00 p.m. at the NYS Bar Association headquarters at One Elk Stree in Albany. I will be there -- **HOW ABOUT YOU?** Since it is now almost exactly a year and a half since you first expessed interest in doing a story on the State Commission on Judicial Conduct, this is an opportunity for you to see if you can get the Commission insiders, who will be the forum's speakers, to address the *readily-verifiable* evidence of the Commission's corruption, embodied in the file of my lawsuit against the Commission, that are contained in those two cartons that Ms. Shatraw told me remain in your office.

This *readily-verifiable* file evidence of the Commission's corruption -- and the complicity of the lower state courts, aided and abetted by AG Spitzer -- is STILL before the Court of Appeals in two motions that are pending before it.

On the subject of the political connections of the Commission on Judicial Conduct's longtime chairman, Election Law Henry T. Berger, who aided Mr. Spitzer in his razor-close 1998 election victory as Attorney General -- I have forwarded you today's lead editorial from the Daily News. Such connections help explain why the Legislature has held NO OVERSIGHT HEARING of the Commission in more than 15 years -- notwithstanding the 1989 report of then State Comptroller Ed Regan that the Commission was operating without appropriate oversight and that legislation was needed.

Happy Thanksgiving.