



CIVIL COURT OF THE CITY OF NEW YORK
111 CENTRE STREET
NEW YORK, N.Y. 10013

CHAMBERS OF
ANTHONY CANNATARO
SUPERVISING JUDGE, CIVIL COURT
NEW YORK COUNTY

February 10, 2016

Ms. Elena Ruth Sassower
Center for Judicial Accountability, Inc.
P.O. Box 8101
White Plains, NY 10602

Re: Your December 21, 2015 letter

Dear Ms. Sassower:

I write in response to your letter to the Hon. Tanya R. Kennedy dated December 21, 2015 in which you make complaints concerning Small Claims Arbitrator Avi Naveh, Esq. as well as Judges Jose Padilla and David B. Cohen. I am the new Supervising Judge of the New York County Civil Court and have assumed responsibility for investigating complaints and taking appropriate action.

Initially, I note that there is an order from Judge Cohen dated December 3, 2015 which grants reargument of your motion to vacate Arbitrator Naveh's determination. In that order, Judge Cohen directs the arbitrator to complete the "Arbitrator's Finding and Award" section on the small claims case record card. To date, I have not seen the arbitrator's completed findings. I mention this because those findings are necessary to a full and fair evaluation of your claim that the arbitrator was biased against you or that he dismissed your case in retaliation for a complaint that you made against him. Thus, final determination of your complaint against Arbitrator Naveh will have to await his findings of fact. Please forward the arbitrator's findings to me when you obtain them.

With respect to Justice David Cohen, I am sorry that you took offense to the Judge's question about having other cases in this court. Since there is no record of the proceedings, I am not sure in what context that discussion arose. Nevertheless, the matter appears to have ended with your response to Judge Cohen that you did not have numerous cases before the court. From what I can read in your papers, the issue did not come up again. It certainly did not play a part in any of the written decisions by Judge Cohen in your case. Based on this and all the other circumstances you describe, I cannot concur that Judge Cohen acted in a manner that warrants discipline by this office.

In connection with Judge Padilla, I must point out that neither your December 21st letter nor your May 27, 2015 affidavit provide any factual support whatsoever for your complaint. Although you very clearly accuse Judge Padilla of participating in a cover-up in order to rob you of \$5,000, neither of your sworn statements contain any factual allegations that would support a finding of misconduct by Judge Padilla. Without factual support for your complaint against Judge Padilla, I must consider it unsubstantiated.

Finally, I do not intend to respond to your letter's extensive commentary on Justice Gerald Lebovitz, Justice Kennedy, or Mr. Barry Cozier since the issues you raise with respect to those individuals fall far outside the purview of my responsibilities as Supervising Judge of the New York County Civil Court.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'A. Cannataro', with a long horizontal flourish extending to the right.

Hon. Anthony Cannataro, J.S.C.

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111 Centre Street
New York , New York 10013**

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