



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ELIOT SPITZER
Attorney General

DAVID M. NOCENTI
Counsel to the Attorney General

September 1, 1999

Elena Ruth Sassower
Coordinator
Center for Judicial Accountability, Inc.
P.O. Box 69
Gedney Station
White Plains, New York 10605-0069

Re: Sassower v. Commission on Judicial Conduct,
Index No. 99-108551 (Sup. Ct., N.Y. County)

Dear Ms. Sassower:

Thank you for your August 6, 1999 letter regarding the above-entitled action. In your letter, you have asked this office to consider your July 28, 1999 affidavit and memorandum of law as an ethics complaint against the Attorney General, Richard Rifkin, and the "staff and supervisory personnel" involved in this litigation.

As you know, the allegations set forth in the materials that you provided are now the subject of a pending motion in State Supreme Court. In addition, it appears that you have submitted related allegations to the State Ethics Commission. Finally, you have expressly requested that your allegations be considered an ethics complaint against the Attorney General, who is the head of this agency. In view of these considerations, we have determined that it would not be advisable for this office to undertake a separate internal review of your allegations.

Thank you once again for writing, and please feel free to call me if you have any questions or need any further information regarding this matter.

Very truly yours,

David Nocenti
Counsel to the Attorney General

EX 'I-1'