

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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Elena Ruth Sassower, Coordinator

BY PRIORITY MAIL

CERTIFIED/RETURN RECEIPT: 7000-1670-0007-4965-0145

May 14, 2001

Bruce Green, Director
Louis Stein Center for Law and Ethics
Fordham University School of Law
140 West 62nd Street
New York, New York 10023

- RE:
- (1) The Ethical Obligation of New York's Legal Ethics Community to Address the New York State Attorney General's Unrestrained Violations of Ethical Codes of Professional Responsibility – and the Corruption of Oversight Mechanisms
 - (2) *Amicus* and other assistance in the appeal of the public interest Article 78 proceeding, *Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc., acting pro bono publico, against Commission on Judicial Conduct of the State of New York* (NY Co. #108551/99; Appellate Division, First Dept: September 2001 Term)

Dear Professor Green:

As discussed in our May 3rd phone conversation, enclosed is the Attorney General's Respondent's Brief in the above-entitled public interest appeal – and my critique thereof. Such critique demonstrates that Respondent's Brief, from beginning to end, is violative of New York's Disciplinary Rules of the Code of Professional Responsibility in that it is fashioned on wilful and deliberate falsification, distortion, and omission of the material facts and controlling law. Also enclosed are copies of my April 18th and May 3rd letters to Attorney General Spitzer concerning his obligations to withdraw his Respondent's Brief, disavow his representation of the Commission, and support the appeal¹.

Plainly, you cannot evaluate these documents without also examining my Appellant's Brief – transmitted to you with my February 16th letter. I was shocked by your statement in our May 3rd phone conversation that you had still not even “looked at” it -- or at the underlying lower court

¹ Also enclosed is my May 3rd letter to Deputy Solicitor General Belohlavek.

May 14, 2001

record transmitted to you with the February 16th letter. The file's evidentiary value in establishing the serious allegations presented by my February 16th letter – allegations for which you claimed to see “no basis” -- is explicit from the letter.

If – as Director of Fordham Law School's Louis Stein Center for Law and Ethics and Chairman of the New York State Bar Association's Committee on Professional Ethics – you actually believe you have no obligation to examine *any* of the evidentiary proof in your possession substantiating the February 16th letter – and will not even refer me to anyone in New York's legal ethics community who will examine this evidentiary proof -- please set that forth *in writing*. Such writing should include a statement as to whether such views are colored by your personal and professional relationships with Attorney General Spitzer and those complicitous in the corruption of the Attorney General's office, such as Michele Hirschman, his second-in-command – whose husband, Russell G. Pearce, you disclosed to be your colleague at Fordham Law School. As you will recall, this disclosure was in our second phone conversation together, on March 20th, at which time you stated to me that you had not even read my February 16th letter, indeed, had not even opened the box in which it was enclosed.

Time is passing. Based on the unprecedented evidentiary materials in your possession, there should be no question of my entitlement to *amicus* and other assistance on my appeal from New York's legal ethics community. This, I urgently require. My Reply Brief is due on June 27th2 – and, based on the critique, will necessarily highlight the transcending issues of professional responsibility presented by this appeal.

Please let me hear from you as soon as possible – especially as to whether you will be making a recommendation to the leadership of the New York State Bar Association that the issues presented by my appeal warrant its *amicus* and other assistance.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc. (CJA)

Enclosures: As indicated

² A copy of my April 6th stipulation with the Attorney General is enclosed.

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