

## CENTER for JUDICIAL ACCOUNTABILITY, INC.

P.O. Box 69, Gedney Station  
White Plains, New York 10605-0069

Tel. (914) 421-1200  
Fax (914) 428-4994

E-Mail: [judgewatch@aol.com](mailto:judgewatch@aol.com)  
Web site: [www.judgewatch.org](http://www.judgewatch.org)

*Elena Ruth Sassower, Coordinator*

**BY FAX: 518-426-6904 (24 pages)**

December 16, 2002

Senate Judiciary Committee  
The Capitol, Room 427  
Albany, New York 12247

ATT: James J. Lack, Chairman

RE: CJA's Opposition to Senate Confirmation of your Nomination to the Court of Claims; Request for Production of CJA's Original Submissions; Request to Testify in Opposition; Request for the Presence of a Court Stenographer; Request for Publicly-Available Documents Pertaining to your Nomination

Dear Chairman Lack:

This letter memorializes my telephone notification to Senate Judiciary Committee Clerk Susan Zimmer, shortly after 10 a.m. on Thursday, December 12th, and then again at approximately 11:30 a.m. on Friday, December 13<sup>th</sup>, of CJA's strenuous opposition to Senate confirmation of your nomination to the Court of Claims. This, based on your official misconduct as Chairman of the Senate Judiciary Committee-- *readily-verifiable* from CJA's documentary submissions to the Committee from 1996 to the present, substantiating our opposition to three of Governor's Pataki's nominees to the Court of Claims, two of his appointees to the Court of Appeals, and our requests to testify in opposition.

We have requested that the originals of such submissions be accessed from the Committee files for examination by the Senators in discharge of their "advice and consent" function. We have also requested to testify at such Senate confirmation "hearing" as is held on your nomination - as to which, additionally, we have requested the presence of a stenographer to record the proceedings.

The substance of CJA's intended testimony is set forth in our letter of today's date to Senate Majority Leader Bruno, Senate Minority Leader Connor, and Senate Minority Leader-Elect Paterson - to which you are an indicated recipient. A copy is enclosed.

Needless to say, CJA requests that such letter to the Senate Leadership be made a part of the record of the Senate confirmation proceedings on your nomination.

Finally, we request any publicly-available documents pertaining to your nomination - including the "written report" of the State Judicial Screening Committee purportedly finding you to be "highly qualified" for the Court of Claims judgeship to which the Governor has nominated you.

Yours for a quality judiciary,

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

Enclosure

cc: Senate Leadership

*Senate Judiciary Committee  
Chairman Lack*

TRANSMISSION VERIFICATION REPORT

TIME : 12/16/2002 12:52  
NAME : CJA  
FAX : 9144294994  
TEL : 9144211200

DATE/TIME	12/16 17:48
FAX NO./NAME	15154266904
DURATION	00:12:33
PAGE(S)	24
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	ECM

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TIME : 12/16/2002 12:33

NAME : CJA

FAX : 9144284994

TEL : 9144211200

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TRANSMISSION VERIFICATION REPORT

TIME : 12/16/2002 12:54

NAME : CJA

FAX : 9144284994

TEL : 9144211200

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