

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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Elena Ruth Sassower, Director

BY FAX: 212-628-1526 (12 pages)

BY E-MAIL: bcarey@ktforsenate.com; info@ktforsenate.com

BY CERTIFIED MAIL: 7001-0320-0004-5457-4927

June 19, 2006

Kathleen Troia McFarland, Would-Be Republican Nominee for the U.S. Senate from New York
954 Lexington Avenue
Box 135
New York, New York 10021

RE: Informing the Voters: Senator Hillary Rodham Clinton's *readily-verifiable* corruption in office, as evidenced by her record on judicial selection and discipline – concealed by John Spencer and an election-rigging press

Dear Ms. McFarland:

The Center for Judicial Accountability, Inc. (CJA) is a national, non-profit, non-partisan citizens' organization, based in New York, working to ensure that the processes of judicial selection and discipline are effective and meaningful. These are critical processes in which U.S. senators have important participatory and monitoring roles.

This letter is occasioned by yesterday's New York Times article, "*Eyes Are on Mrs. Clinton, but Fists Are on Each Other*", by Patrick Healy, reporting that you and Mr. Spencer "have been locked in a destructive political tango, and it is undermining [your respective] chances to exploit the stop-Hillary passions and draw money nationally to [your respective] campaigns". The article goes on to say that each of you is "searching for a knockout punch" against the other and, further, that you are "fuzzy about how [you] would be a different senator, or a better senator, than Mrs. Clinton".

Please be advised that such "knockout punch" is not only readily at hand, but enables you to demonstrate how you, not Ms. Clinton, would better serve New York State and the nation. The facts are as follows: Throughout the past 4-1/2 months, spanning the 3-1/2 months of your candidacy, Mr. Spencer has turned his back on a golden opportunity to derail, if not end, Ms. Clinton's Senate re-election campaign and her expected presidential run. This, by ignoring, without explanation, irrefutable documentary evidence of Ms. Clinton's criminal complicity in the corruption of the processes of judicial selection and discipline on both federal and New York State levels.

This documentary evidence is posted on CJA's website, www.judgewatch.org, accessible via the sidebar panel "Elections 2006: Informing the Voters". It was brought to Mr. Spencer's attention by CJA's February 3, 2006 letter to him, to which he did not respond. A copy of the letter is

enclosed, as are copies of the e-mail and certified mail receipts, so that you can see for yourself what Mr. Spencer has been sitting on – to the detriment of the Republican Party, the citizens of New York State, and the nation.

We reiterate to you what we there stated to Mr. Spencer:

“In the interest of good government, we would be pleased to facilitate your review of this *readily-verifiable* documentary evidence by providing you with hard copies – and request to meet with you to make a personal presentation as to its dispositive, election-altering significance. With such irrefutable evidence in-hand, you can make a powerful, history-making contribution to restoring competition to New York’s 2006 electoral races and to bringing to office worthy public servants truly dedicated to governmental integrity and the public welfare.”

As reflected by the letter and e-mail receipts, it was sent to nine New York Times recipients. Like Mr. Spencer, they did not respond, leaving undenied and undisputed our assertion as to the “dispositive, election-altering significance” of our cited documentary evidence. Meantime, throughout these pivotal 4-1/2 months, The Times has knowingly and deliberately suppressed any report of this evidence – continuing what the letter describes as to its pattern and practice of election-rigging for Senator Clinton, as likewise for other public officers complicitous in the corruption of judicial selection and discipline.

To protect the public from The Times’ flagrant betrayal of its trust, CJA has brought a landmark public interest lawsuit against The Times for journalistic fraud. The summons with notice was served on February 14, 2006, the verified complaint on March 21, 2006. Copies of our two press releases about the case are enclosed – each highlighting the complaint’s politically-explosive allegations of The Times’ protectionism of Senator Clinton. The litigation papers are all posted on CJA’s website, accessible *via* the sidebar panel “Suing The New York Times”.

We look forward to your response – one consistent with your campaign issue of “Government Reform” identified on your website, www.ktforsenate.com, wherein you state that “public office holders have a solemn obligation to the people who elected them to conduct themselves with the highest degree of integrity and honor.” That being so, the irrefutable evidence of Senator Clinton’s corruption in office with respect to the processes of judicial selection and discipline will enable you to not only speak out as to her utter lack of “integrity and honor”, but to fashion a reform platform specifically addressed to these critical processes, presently absent from your website.

Yours for a quality judiciary,
governmental integrity, and meaningful elections,



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

Enclosures & cc’s: See next page

Enclosures: (1) CJA's February 3, 2006 letter to John Spencer
(2) CJA's press releases #1 and #2 as to the significance and posture of its public interest lawsuit vs The New York Times

cc: John Spencer, Would-Be Republican Nominee for the U.S. Senate from New York
New York Times reporter Patrick Healy

New York Times recipients of CJA's February 3, 2006 letter:

Executive Editor Bill Keller; Publisher Arthur Sulzberger, Jr.; Managing Editor for Newsgathering Jill Abramson; (retired) Standards Editor Allan M. Siegal; Deputy Managing Editor Jonathan Landman; Washington Bureau Chief Philip Taubman; Editorial Page Editor Gail Collins (for sharing with ALL Editorial Board members); Reporters Raymond Hernandez and Marek Fuchs

Jonathan Tasini, Would-Be Democratic Nominee for the U.S. Senate from New York
The Press
The Public

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Elena Ruth Sassower, Coordinator

BY E-MAIL: info@join.spencer.com

BY CERTIFIED MAIL/RRR: 7002-2030-0007-8572-9082

February 3, 2006

John Spencer, Candidate for U.S. Senate
P.O. Box 864
Yonkers, New York 10702-0864

RE: Informing the Voters: Senator Hillary Rodham Clinton's *readily-verifiable* corruption in office, as evidenced by her record on judicial selection and discipline – covered up by an election-rigging press

Dear Mr. Spencer:

As you know, the Center for Judicial Accountability, Inc. (CJA) is a national, non-profit, non-partisan citizens' organization, based in New York, working to ensure that the processes of judicial selection and discipline are effective and meaningful.

This letter is occasioned by the February 1st New York Times article, "*Clinton Raises Millions More as G.O.P. Strains to Field a Challenger*", by Raymond Hernandez, reporting – yet again -- on Senator Clinton's "enormous" fundraising in absolute terms and as compared to you, over whom she has an "enormous lead" in the polls.

Please be advised that more than six months ago, by letter dated July 29, 2005, CJA explicitly notified The Times' highest echelons – with a copy to Mr. Hernandez -- that Senator Clinton's fund-raising would tumble, as likewise her poll numbers, if the public were informed of her record with respect to judicial selection and discipline. As to that record, it criminally implicates Senator Clinton in the corruption of the processes of judicial selection and discipline, on both federal and New York State levels – rightfully ending her re-election to the Senate this year and her prospective run for the presidency in 2008. The Times has known this since June 2003 -- with Mr. Hernandez himself knowing it since April 2004.

CJA's website, www.judgewatch.org, posts the substantiating primary source documents -- most conveniently accessed *via* the sidebar panel, "Elections 2006: Informing the Voters". A click will bring you to a link for a "Paper Trail of Senator Clinton's Corruption in Office" and, additionally, to a link entitled "Press Protectionism of Senators Schumer & Clinton", chronicling Times' protectionism of Senator Clinton, in tandem with its protectionism of her Senate colleague, Charles Schumer, with whom she has collusively acted in betraying the People of the State of New York and the nation.

Of course, The Times is not alone in protecting Senator Clinton from scrutiny as to her record in corrupting, and in perpetuating the corruption of, the processes of judicial selection and discipline. The list of New York media includes The New York Law Journal and The Village Voice, each of which published letters to the editor from me about their defamatory and cover-up reporting, the former of which was quite explicit as to the electoral ramifications to Senator Clinton of examining the pertinent primary source documents. These two published letters, as likewise my published letter to the editor of the capitol hill newspaper, Roll Call, are enclosed for your convenience.

A more particularized summary of Senator Clinton's official misconduct -- as committed on her behalf by her former counsel Leecia Eve, who, until this week, was a candidate for the Democratic nomination for Lieutenant Governor -- is set forth by CJA's January 27th memo to Dr. Jon Cohen, also a candidate for the same nomination until this week. Posted on the "Elections 2006" page itself, the memo will enable you to understand that an expose of Senator Clinton's record on judicial selection and discipline will, by the very same documentary evidence, bring down Attorney General Eliot Spitzer -- the otherwise all-but-certain next Governor of New York -- as well as his hand-picked choice for Lieutenant Governor, State Senate Minority Leader David Paterson, whose announcement last week caused Ms. Eve and Dr. Cohen to drop out.

In the interest of good government, we would be pleased to facilitate your review of this *readily-verifiable* documentary evidence by providing you with hard copies -- and request to meet with you to make a personal presentation as to its dispositive, election-altering significance. With such irrefutable evidence in-hand, you can make a powerful, history-making contribution to restoring competition to New York's 2006 electoral races and to bringing to office worthy public servants truly dedicated to governmental integrity and the public welfare.

Yours for a quality judiciary,
governmental integrity, and meaningful elections,



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

cc: New York Times Executive Editor Bill Keller
& the following indicated recipients of CJA's July 29, 2005 letter to him:

Arthur Sulzberger, Jr., Publisher
Jill Abramson, Managing Editor for Newsgathering
Allan M. Siegal, Standards Editor
Jonathan Landman, Deputy Managing Editor
Philip Taubman, Washington Bureau Chief
Gail Collins, Editorial Page Editor (for sharing with ALL Editorial Board members)
Marek Fuchs
Raymond Hernandez

New York Law Journal

Wednesday, May 19, 2004



LETTERS

To the Editor

Portrayal in News Item Found 'Denigrating'

Last month, an important case in which I was the criminal defendant went to trial in Washington, D.C. At issue was what took place at the U.S. Senate Judiciary Committee's May 22, 2003, public hearing to confirm President George Bush's nomination of New York Court of Appeals Judge Richard C. Wesley to the Second Circuit Court of Appeals.

Although a lengthy front-page article appeared in *Legal Times*, owned by American Lawyer Media, the same parent company as owns the *New York Law Journal*, the *Law Journal* did not run it. Instead, it ran a scurrilous front-page "News in Brief" item, "Sassower Faces Charges of Disrupting Congress" (April 12), whose most false and defamatory assertion is directly refuted by the *Legal Times* article.

According to the *Law Journal* item, I both "spoke out" and "was arrested for attempting to speak during the confirmation hearing without being invited to do so." It then continues "She contends she simply wanted to speak her mind..."

No sane professional would "contend[] she simply wanted to speak her mind" — a portrayal reinforcing the item's denigrating opening description that I have "made a career of challenging alleged corruption in New York Courts." The inference is that I am pursuing, in an individual capacity, "alleged" corruption that may be only "in my mind."

Conspicuously omitted — as likewise from the front-page "News in Brief" item, "Sassower Found Guilty of Disrupting Congress" (April 21) — are my professional title and organizational affiliation. No editorializing was needed for the *Law Journal* to plainly state that I am coordinator and co-founder of the Center for Judicial Accountability Inc. (CJA) — a national, non-partisan, non-profit citizens' organization.

For more than a decade, CJA has been documenting the dysfunction, politicization and corruption of the closed-door processes of judicial selection and discipline by advocacy that is scrupulously evidence-based. Indeed, upon Mr. Bush's nomination of Judge Wesley, I personally prepared a fact-specific March 26, 2003, written statement particularizing the case-file evidence establishing Judge Wesley's corruption on the New York Court of Appeals in two major public interest cases, resulting in vast, irreparable injury to the People of New York. I then hand-delivered this statement — including the substantiating case-file documents — to the American Bar Association and Association of the Bar of the City of New York, to Senators Schumer and Clinton, and to the Senate Judiciary Committee. None made any findings of fact and conclusions of law with respect thereto. Nor did they — or Judge Wesley, to whom I sent a copy of the statement — ever deny or dispute its accuracy in any respect.

As to what I "contend" I said and did at the Senate Judiciary Committee hearing, the *Legal Times* got it right:

"According to Sassower, she read from a prepared statement: 'Mr. Chairman, there's citizen opposition to Judge Wesley based on his documented corruption as a New York Court of Appeals judge. May I testify?'"

Judge Wesley's "documented corruption:" — covered up by the bar associations, Senators Schumer, Clinton, and the Senate Judiciary Committee, among others — is a major political scandal, yet to be reported. Its explosive ramifications would rightfully derail Senator Schumer's re-election campaign and Senator Clinton's talked-about future candidacy for president. Fortunately, readers do not have to rely on the *Law Journal*, but can verify this for themselves. The substantiating primary source documents — including the unrefuted and irrefutable March 26, 2003, statement — are posted on the homepage of CJA's Web site, www.judgewatch.org, under the heading "Paper Trail Documenting the Corruption of Federal Judicial Selection/Confirmation and the 'Disruption of Congress' Case it Spawned."

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

Letters

Activists, judges

I am the subject of "The Scourge of Her Conviction" by Kristen Lombardi [February 2-8], purporting to be about my arrest, conviction, and six-month incarceration on a "disruption of Congress" charge. Such a story shamelessly covers up the corruption of federal judicial selection involving a Who's Who of the high and mighty in New York and Washington. It hardly befits a newspaper that holds itself out as maintaining a tradition of "no-holds-barred reporting and criticism."

Among the high and mighty who get off "scot-free" or virtually so: senators Schumer and Clinton. Your story makes it appear that they—and likewise the U.S. Senate Judiciary Committee—could freely ignore documentary evidence of corruption by New York Court of Appeals judge Richard Wesley, which I presented to them weeks before the committee's May 22, 2003, hearing to confirm his nomination to the Second Circuit Court of Appeals. Indeed, you nowhere identify that senators Schumer and Clinton were duty bound to examine that evidence and had the power to

prevent the nomination from proceeding to a hearing. Nor do you mention that the nomination was the product of a political "agreement," announced by Senator Schumer in a press release—let alone explore Governor Pataki's role in that "agreement." Omitted is that Judge Wesley was a pal of the governor from their days in the New York legislature and the governor's first appointee to the New York Court of Appeals. Also omitted is the Center for Judicial Accountability's evidence-based assertion that the nomination was a "payback" to Judge Wesley for having protected Governor Pataki in a politically explosive public interest lawsuit directly implicating him in the corruption of the State Commission on Judicial Conduct and "merit selection" to the New York Court of Appeals.

As to the documentary evidence of Judge Wesley's corruption in that lawsuit, you make no qualitative assessment—and garble what Judge Wesley did and what the lawsuit was about. Indeed, you so completely protect the guilty that you do not call the commission by its name, but euphemistically refer to it as "the state's judicial-review board."

Senator Schumer is a Harvard Law School graduate, Senator Clinton a graduate of Yale Law School. What were their findings of fact and conclusions of law with respect to what you describe as the "27-page memorandum that outlined, in meticulous detail, the center's opposition"? And why has the *Voice*, which has a copy of that March 26, 2003, memorandum and the pertinent substantiating evidence of Judge Wesley's misconduct in the commission case and in an earlier case challenging the constitutionality of billions of dollars of New York bonds, not itself come forward with findings of fact and conclusions of law?

That you smear me as a "pest" and otherwise besmirch my proper and professional advocacy only further underscores your betrayal of fundamental standards of journalism. *Voice* readers can judge this for themselves by examining the paper trail of documents pertaining to the "disruption of Congress" case, posted on the center's website, judgewatch.org.

Elena Ruth Sassower
Coordinator, Center for
Judicial Accountability Inc.
White Plains, New York

Correcting The Record

I was wrongfully convicted of "disruption of Congress," which you reported on April 21 ("Jury Convicts Judiciary Protester"). Contrary to your story, I never "argued" that "the right of citizens to testify at public hearings ... 'is not and must never be deemed to be a disruption of Congress.'" Indeed, your quotes were only around the second half of that supposed argument.

What I actually argued was that "a citizen's respectful request to testify at a Congressional committee's public hearing is not — and must never be deemed to be — 'disruption of Congress.'" This was obscured by the prosecution, which, without any basis in fact, painted me as someone who "did not follow the rules," further alleging that I "broke the law by loudly disrupting a U.S. Senate Judiciary hearing."

In fact, more than two months before the committee's May 22, 2003, hearing to confirm New York Court of Appeals Judge Richard Wesley to the 2nd U.S. Circuit Court of Appeals — and in conjunction with my request to testify in opposition, as coordinator of the national, nonpartisan, nonprofit citizens' organization Center for Judicial Accountability, Inc. — I asked the committee, in writing, for its rules, procedures and standards. None were supplied, just as the committee never sent a letter denying my request to testify. Nor did anyone in authority at the committee deny the request orally. More seriously, no committee counsel ever called me, let alone interviewed me, about the case-file doc-

uments I had hand-delivered to the committee two and a half weeks before the hearing to substantiate CJA's particularized written statement as to Wesley's readily verifiable corruption as a judge on New York's highest state court in two public-interest cases affecting the rights and welfare of the people of New York. Committee underlings refused to even give me the names of reviewing counsel — and my many, many phone messages to speak to such unidentified counsel and to others in authority at the committee and in the offices of Chairman Orrin Hatch (R-Utah) and ranking member Patrick Leahy (D-Vt.) were unreturned.

This scandalous state of affairs, where the Senate Judiciary Committee wilfully ignores evidence of nominee unfitness in order to consummate the political deals which Senators make over judgeships, is

chronicled in fact-specific correspondence I sent to Hatch and Leahy, as well as to New York Sens. Charles Schumer (D) and Hillary Rodham Clinton (D) and the Capitol Police prior to the hearing. It is posted on the home page of CJA's Web site, www.judgewatch.org, under the heading, "Paper Trail Documenting the Corruption of Federal Judicial Selection/Confirmation and the 'Disruption of Congress' Case it Spawned."

As to what took place at the Judiciary Committee's May 22, 2003, hearing, the best evidence is the videotape. The second best evidence is the official transcript. Both are posted at the top of CJA's home page — with an analysis of each. Such analysis highlights — apart from my correspondence — the tell-tale signs, revealed by the video, that "the Committee's leadership 'set me up' to be arrested."

On June 1, I will be sentenced to jail for up to six months for my words at the hearing. These words, not uttered by me until after the presiding chairman, Sen. Saxby Chambliss (R-Ga.), had already adjourned the hearing, were: "Mr. Chairman, there's citizen opposition to Judge Wesley based on his documented corruption as a New York Court of Appeals judge. May I testify?"

Hatch and Leahy, Schumer and Clinton — and, of course, Chambliss — all of whom invoked their immunities under the Speech or Debate Clause to quash my subpoenas for their testimony at trial — should be asked how much jail time they deem appropriate for such a concocted "crime."

Elena Ruth Sassower
Coordinator
Center for Judicial
Accountability Inc.

ROLL CALL

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Monday, May 10, 2004 • Vol. 49, No. 121

An Economist Group business

Subject: Informing the Voters: Senator Clinton's record on judicial selection & discipline, covered-up by an election-rigging press

Date: 2/3/2006, 4:38 PM

From: Elena Ruth Sassower <judgewidthers@aol.com>

To: info@joinspencer.com

cc: dianec@nytimes.com, asulz@nytimes.com, abramson@nytimes.com, kavier@nytimes.com, joland@nytimes.com, editorial@nytimes.com, fuchs@nytimes.com, rayhern@nytimes.com

Organization: Center for Judicial Accountability, Inc.

Attached is CJA's letter of today's date to John Spencer, Candidate for the U.S. Senate – which will be posted on CJA's website, www.judgewidth.org, accessible via the sidebar panel, Elections 2006: Informing the Voters".

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

2-3-06-spencer.pdf (151KB)

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Total Postage & Fees	\$ 4.88	

Sent To: John Spencer
 Street, Apt. No. or PO Box No. P.O. BOX 864
 City, State, ZIP+4 Yonkers, NY 10702-0864

PS Form 3800, June 2002 See Reverse for Instructions

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 John Spencer
 Spencer for Senate
 P.O. BOX 864
 Yonkers, NY
 10702-0864

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B. Received by (Printed Name) JOHN SPENCER

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Subject: Superseding Ltr: Informing the Voters: Senator Clinton's record on judicial selection & discipline -- covered up by an election-rigging press

Date: 2/4/2006, 2:21 PM

From: Elena Ruth Sassower <judgewatchers@aol.com>

To: info@joinspencer.com

cc: dianec@nytimes.com, asulz@nytimes.com, abramson@nytimes.com, kavier@nytimes.com, joland@nytimes.com, washington@nytimes.com, editorial@nytimes.com, fuchs@nytimes.com, rayhern@nytimes.com

Organization: Center for Judicial Accountability, Inc.

CJA's yesterday's letter to Senate Candidate John Spencer inadvertently failed to designate NEW YORK TIMES WASHINGTON BUREAU CHIEF PHILIP TAUBMAN as a recipient. That is now corrected by the attached superseding letter making minor corrections -- including by designating Mr. Taubman as recipient of the letter, much as he had been a recipient of CJA's July 29, 2005 letter to Times Executive Editor Keller.

Apologies for the inconvenience.

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

 2-3-06-spencer.pdf (446KB)

CENTER for JUDICIAL ACCOUNTABILITY, INC.*

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PRESS RELEASE #1: March 22, 2006 onward

FIRST-OF-ITS-KIND PUBLIC INTEREST LAWSUIT vs THE NEW YORK TIMES IN VINDICATION OF THE FIRST AMENDMENT

The New York Times is being sued for libel and journalistic fraud in a landmark public interest lawsuit, the first to implement the powerful recommendation for media accountability proposed in the 2003 law review article "*Journalistic Malpractice: Suing Jayson Blair and the New York Times for Fraud and Negligence*", 14 Fordham Intellectual Property, Media & Entertainment Law Journal 1.

The lawsuit, charging The Times with betraying its First Amendment responsibilities to the public, is brought by the Center for Judicial Accountability, Inc. (CJA) and its director, Elena Ruth Sassower. The libel causes of action are based on a Times' column, "*When the Judge Sledgehammered The Gadfly*", about Ms. Sassower, then serving a six-month jail sentence in D.C., after conviction on a "disruption of Congress" charge. An analysis of the column, annexed as Exhibit A to the Verified Complaint, demonstrates that the column is "deliberately defamatory", "knowingly false and misleading", and "completely covers up the politically-explosive underlying national and New York stories of the corruption of the processes of judicial selection and discipline, involving our highest public officers".

These public officers include Senator Hillary Rodham Clinton, running for re-election to the U.S. Senate this year, with an eye to the presidency in 2008, and New York Attorney General Eliot Spitzer, running this year to be New York's next governor. The Verified Complaint alleges that their anticipated landslide victories are being rigged by The Times, whose steadfast refusal to report on the records of Ms. Clinton and Mr. Spitzer with respect to judicial selection and discipline is with knowledge that such reporting would rightfully end their electoral prospects, if not generate disciplinary and criminal prosecutions against them for corruption. As for past electoral races, the Verified Complaint dramatically shows that The Times rigged Senator Charles Schumer's 2004 re-election to the Senate by similarly refusing to report on his record as to judicial selection and discipline, and, prior thereto, rigged Mr. Spitzer's 2002 re-election as attorney general and Governor George Pataki's 2002 and 1998 re-elections as New York's governor, likewise by refusing to report on their records.

The Times' protectionism of all these public officers -- and its suppression of any coverage of the *readily-verifiable* documentary evidence of systemic governmental corruption involving judicial selection and discipline, provided it by CJA throughout the past 15 years -- underlies the lawsuit's cause of action for journalistic fraud.

The Verified Complaint, its substantiating exhibits, and the law review article are posted on CJA's website, www.judgewatch.org -- accessible via the sidebar panel, "Suing The New York Times".

* The Center for Judicial Accountability, Inc. (CJA) is a national, non-partisan, non-profit citizens' organization working to ensure that the processes of judicial selection and discipline are effective and meaningful.

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Contact: Elena Ruth Sassower, Director
Direct E-Mail: judgewatchers@aol.com

P R E S S R E L E A S E #2: June 9, 2006 onward

PUBLIC INTEREST LAWSUIT vs THE NEW YORK TIMES SEEKS JUDGMENT AGAINST IT, INCLUDING REMOVAL OF ITS FRONT-PAGE MOTTO "ALL THE NEWS THAT'S FIT TO PRINT" AS A FALSE AND MISLEADING ADVERTISING CLAIM

How does the great and mighty New York Times litigate when sued? Are the standards of "quality" and "excellence" that supposedly mark its journalism manifested in its legal submissions as well?

These questions are answered in motion papers filed by the non-profit, non-partisan citizens' organization, Center for Judicial Accountability, Inc. (CJA), and its director, Elena Ruth Sassower, plaintiffs in the first-ever public interest lawsuit against The Times, suing it for journalistic fraud in connection with its news reporting and editorializing. Their papers – responding to a Times motion to dismiss the lawsuit – demonstrate that The Times' motion, "from beginning to end and in virtually every sentence", "flagrantly falsifies, omits, and distorts the [lawsuit's] allegations and cites law that is either inapplicable by reason thereof or [itself] falsified and distorted".

Based thereon, plaintiffs have requested maximum costs and sanctions against Times attorneys and the named Times defendants they represent – among them, Publisher Arthur Sulzberger, Jr., Executive Editor Bill Keller, Managing Editor Jill Abramson, and Public Editor Byron Calame – as well as disciplinary referrals against Times attorneys and their disqualification. Indeed, plaintiffs' showing is so resounding that they have cross-moved for summary judgment on their three causes of action and, as part thereof, removal of The Times' front-page motto "All the News That's Fit to Print" as a false and misleading advertising claim. All of this is in addition to a default judgment against non-appearing Times defendants, including Daniel Okrent, The Times' first Public Editor.

The papers in this historic lawsuit – seeking money damages of \$906,000,000 – are posted on CJA's website, www.judgewatch.org – accessible via the sidebar panel, "Suing The New York Times". This includes the lawsuit's verified complaint, chronicling The Times' pattern and practice of election-rigging for Senator Hillary Rodham Clinton and New York Attorney General Eliot Spitzer creating their anticipated landslide victories this November.

* The Center for Judicial Accountability, Inc. (CJA) is a national, non-partisan, non-profit citizens' organization working to ensure that the processes of judicial selection and discipline are effective and meaningful.