

elena

From: Robert H. Tembeckjian [tembeckjian@SCJC.STATE.NY.US]
Sent: Monday, September 28, 2009 9:52 AM
To: elena
Cc: Beth BAR; Edward Lindner; Jean Savanyu; sampson@senate.state.ny.us; spotts@senate.state.ny.us
Subject: Request to Inspect Pursuant to FOIL-- RE: Litigation Challenges to theNYS Commission on Judicial Conduct --Particularly by Complainants

Dear Ms. Sassower:

I am forwarding your email to our Public Information Officer, Beth Bar.

We will assemble the files we have regarding litigation challenges brought by complainants, and when that is done Ms. Bar will be in touch with you further to schedule an appointment. Please be advised, however, that in some instances, the complainants may not have pursued their lawsuits beyond filing a notice. Please also be advised that since the Attorney General represented the Commission in most if not all of these cases, that office may have more comprehensive files than the Commission does in these matters.

Very truly yours,
 Robert H. Tembeckjian

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>>> On 9/23/2009 at 8:19 AM, in message
 <8B70F41CB2864DD78B24FA23C08A577E@cja001>, elena <elena@judgwatch.org>
 wrote:

Thank you, Mr. Tembeckjian, but I'm sure you would agree that "the truth" is best gauged not by the volume of litigation, but by its content.

For that reason, I request to inspect – pursuant to FOIL – the files of litigation challenges brought by complainants – continuing the inspection I undertook years ago based on the 1995 list.

Even without doing so, however, I am confident that the most serious and far-reaching litigation challenge brought by a complainant is the Article 78 proceeding, *Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc. acting pro bono publico v. Commission on Judicial Conduct of the State of New York* (April 1999-December 2002) – whose six claims of relief challenging key Judiciary Law provisions and Commission rules was so devastating that neither the Supreme Court, the Appellate Division, nor the Court of Appeals would address them, instead rendering fraudulent judicial decisions without which the Commission would not have survived.

This, the Senate Judiciary Committee can **readily** verify for itself from the final motion in the case

9/28/2009