

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, February 15, 2017 1:07 PM
To: 'Adrienne Kerwin'
Subject: Citizen-Taxpayer Action -- CJA v. Cuomo: OSC to Disqualify Justice Hartman, Vacatur, Reargument/Renewal, & Other Relief
Attachments: ex-u.pdf

Dear AAG Kerwin,

Being mailed today for Justice Hartman's fixing of a return date is an order to show cause for her disqualification, for vacatur of her December 21, 2016 decision & order, for reargument/renewal, & other relief.

The order to show cause, annexing my moving affidavit and all exhibits, is posted on CJA's website, www.judgewatch.org, accessible via the homepage link: "CJA's Citizen-Taxpayer Actions to End NYS' Corrupt Budget 'Process' and Unconstitutional 'Three Men in a Room' Governance". For your convenience, the direct link to the webpage for the order to show cause is here: <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2016/9-2-16-osc-complaint/2-15-17-osc.htm>.

The most important exhibit to my moving affidavit is plaintiffs' analysis of Justice Hartman's December 21, 2016 decision & order, annexed as Exhibit U— and it is attached.

The foregoing is consistent with paragraph 6 of my affidavit, which states:

"To facilitate this Court's fixing the shortest return date possible, I have given AAG Kerwin a 'head-start' in responding by already e-mailing the analysis, this affidavit, and the unsigned order to show cause to her. My affidavit of service, with its attached e-mail receipt, is annexed (Exhibit V). Suffice to note that a longer return date would not benefit defendants in the slightest. No amount of time will enable defendants to refute the analysis, as it is factually and legally accurate, mandating the granting of the disqualification/vacatur relief sought by this order to show cause, *as a matter of law.*"

Inasmuch as my September 28, 2016 FOIL request has ultimately produced the answer to my question that you had over and again refused to answer, *to wit*, the names of your superiors with supervisory oversight over you – now revealed as "Stephen M. Kerwin, AAG Deputy Bureau Chief; Jeffrey M. Dvorin, AAG, Bureau Chief; Megan Levine, Deputy Attorney General for State Counsel; and Kent Stauffer, Executive Deputy Attorney General for State Counsel" (Exhibit X-4 to my affidavit) – please furnish this e-mail to them with a request that they call me so that we can discuss the situation.

As Attorney General Schneiderman bears foremost responsibility for the conduct of his office and for upholding the rule of law and Constitution in this state, please furnish this e-mail to him, as well, with my request that he also call me.

Thank you.

Elena Sassower, unrepresented plaintiff,
individually and as director of the Center for Judicial Accountability, Inc.,
& on behalf of the State of New York & the Public Interest

914-422-1200

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