

**NOV 24, 2025 DRAFT AFFIDAVIT– TO BE FILED IN JANUARY FOLLOWING
RETENTION OF, & CONSULTATION WITH, COUNSEL FOR CJA**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CENTER FOR JUDICIAL ACCOUNTABILITY, Inc.
and ELENA RUTH SASSOWER, individually and
as director of the Center for Judicial Accountability, Inc.,
*acting on their own behalf and on behalf of the People
of the State of New York & the Public Interest,*

25-CV-8370

Plaintiffs,

Plaintiffs' Affidavit
in Response to
Nov. 13, 2025
Sua Sponte Order

-against-

LEGISLATIVE CORRESPONDENTS ASSOCIATION, Inc.,
[and 33 other defendants]
being representative of other New York & national media,

Defendants.

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss:

Elena Ruth Sassower, being duly sworn, deposes and says:

1. I am the plaintiff *pro se*, “individually and as director of the Center for Judicial Accountability, Inc.”, bringing this lawsuit with plaintiff Center for Judicial Accountability, Inc. on our “*own behalf and on behalf of the People of the State of New York & the Public Interest*”.

2. This affidavit is submitted in response to the Court’s *sua sponte* [November 13, 2025 Order](#) for plaintiffs to show cause why their claims should not be dismissed for lack of subject matter jurisdiction.

3. By a [November 19th letter](#), I furnished a preliminary response, setting forth the procedurally unprecedented manner in which the Court was proceeding.

4. Plaintiff CJA is now represented by counsel – thereby disposing of the Order’s assertion that I lack standing to litigate on CJA’s behalf, which, as pointed out by my letter, was never my intent.

5. As stated by ¶1 of plaintiffs’ [October 29, 2025 verified amended complaint](#),¹ this lawsuit is brought pursuant to Article 4, §4 of the U.S. Constitution and the First and Fourteenth Amendments. The district court’s subject matter jurisdiction, based thereon, is pursuant to [28 U.S. Code § 1331](#), stated by the complaint’s ¶2 – this being a “civil action[] arising under the constitution”. None of these provisions are acknowledged by the Court’s Order, notwithstanding their invocation by plaintiffs accords with “U.S. Const. art. III, §2, cl. 1”², to which the Order does cite.

6. Instead, the Court flips to “Constitutional standing”, whose three-fold requirements it identifies by quoting from the Second Circuit’s 2016 decision in [Am. Psychiatric Ass’n v. Anthem Health Plans, Inc.](#), 821 F.3d 352, 358 :

“(1) that the plaintiff ha[s] suffered an ‘injury in fact’ — that is, ‘an invasion of a legally protected interest which is (a) concrete and particularized and (b) actual or imminent, not conjectural or hypothetical,’; (2) that there is ‘a causal connection between the injury and the conduct’ of which the plaintiff complains; and (3) that it is ‘likely . . . that the injury will be redressed by a favorable decision.’ *Id.* (second alteration in original) (quoting [Lujan v. Defs. of Wildlife](#), 504 U.S. 555, 560–61 (1992)).”

Plaintiffs meet these requirements, easily – and overwhelmingly.

¹ The October 29, 2025 verified amended complaint, which added nine additional press defendants and subsequent factual allegations, is materially identical to the October 8, 2025 verified complaint. For brevity – and in keeping with the Court’s Order – it will be hereinafter referred to as the “complaint”.

² It reads, by its very first words:

“The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution...”

7. This being the pleading stage, plaintiffs filed their complaint consistent therewith. As stated in the Second Circuit’s 2003 decision in [Bauer v. Veneman](#), 352 F.3d 625, 636-37, which the Court’s Order also quotes, but not this portion:

“at the pleading stage, standing allegations need not be crafted with precise detail, nor must the plaintiff prove his allegations of injury. *See [Lujan]*. (recognizing that ‘[a]t the pleading stage, general factual allegations of injury ... may suffice [to establish standing], for on a motion to dismiss we ‘presum[e] that general allegations embrace those specific facts that are necessary to support the claim’) (quoting [Lujan v. National Wildlife Fed’n](#), 497 U.S. 871, 889, 110 S. Ct. 3177, 111 L. Ed. 2d 695 (1990)) (alteration in original). It bears emphasis that under federal pleading rules, ‘[c]omplaints need not be elaborate, and in this respect injury (and thus standing) is no different from any other matter that may be alleged generally.’ *See South Austin Coalition Comm. v. SBC Communications*, 274 F.3d 1168, 1171 (7th Cir. 2001).”

8. Thus, plaintiffs’ complaint, under the title “Statement in Further Support”, states, at its ¶¶93-95:

“93. Acting on their own behalf and on behalf of ‘the People of the State of New York & the Public Interest’, plaintiffs seek the redress that the United States Constitution expressly provides by the guarantee clause of Article 4, §4, ‘The United States shall guarantee to every State in this Union a Republican Form of Government...’, through the First Amendment’s guarantee of ‘the right of the people...to petition the Government for a redress of grievances’, and the further guarantees to every ‘person’, by the Fifth and Fourteenth Amendments, of due process and equal protection.

94. Based on these provisions – and the facts hereinabove summarized, with evidence – plaintiffs are here suing defendants for violating their ‘free press’ First Amendment responsibilities by *knowingly* false journalism, concealing from the People of New York the true state of their state government, *to wit*, that New York’s ‘Republican Form of Government’ no longer exists because the state’s highest constitutional officers of its three government branches have been colluding with each other in flagrantly violating the state’s Constitution, laws, and rules, eviscerating mandated checks and balances, including by ‘public protection’/ethics and criminal entities that insulate them from any consequence for violations – and that, in so doing, these defendants have been, and are now, rigging New York elections.

95. The foregoing provides plaintiffs with standing and establishes injury, which, as to the latter, is further particularized, as follows:

a. As to Plaintiff SASSOWER, the corruption of New York’s judiciary, of constitutional, lawful state governance, and the complicity of the press, including many that are defendants herein, destroyed the lives and professional careers of her patriotic and courageous judicial whistle-blowing parents, both lawyers, George Sassower, Esq. and Doris L. Sassower, Esq., impacting irreparably and deleteriously upon their three daughters and, as to the oldest, Plaintiff SASSOWER, destroying and derailing her own life and career, beginning when she was a child – and she is now 69.

b. As to Plaintiff CJA, the violation of First Amendment responsibilities and journalistic codes by the press, including most of the defendants herein, has meant that all its hard, painstaking work, spanning more than three decades, has brought no corruption-eradicating changes – when even a modicum of press adherence to such responsibilities and codes, of which there was none, could have brought sweeping corruption-eradicating changes, speedily – and simply by government fidelity to the constitutional provisions, laws, and rules being violated. The near total press suppression of any report of Plaintiff CJA’s work, other than in minimizing, deprecating terms, deprived it of any public profile and appreciation – and all the benefits flowing therefrom to its development as a non-partisan, non-profit citizens’ organization, needing membership and funding.

c. As to ‘the People of the State of New York’, they have been kept ‘clueless’ by their ‘free press’ as to how they have been betrayed by their elected and appointed constitutional officers in their three government branches whose flagrant violations of their oaths of office, the state Constitution, laws, and rules, steal their money, massively, and enact and enable the enactment of policies, without legislative due process and by fraud, including as relates to elections, destroying a ‘Republican Form of Government’. As journalism is the ‘first draft of history’, the state’s history and that of its People has been falsified by its ‘free press’, relied upon by scholars in the belief that it is accurate and true, and by the culpable journalists themselves, many of whom go on to write books.” (underlining in the original).

9. With respect to the corporate plaintiff CJA, the same standing requirements as pertain to me pertain to it. As stated by the Second Circuit’s 2011 decision in [*N.Y. Civil Liberties Union v. N.Y.C. Transit Auth.*](#), 684 F.3d 286, 294:

“the organization is just another person—albeit a legal person—seeking to vindicate a right. To qualify, the organization itself ‘must ‘meet[] the same standing

test that applies to individuals.’ [‘Irish Lesbian & Gay Org., 143 F.3d at 649³](#) (quoting [Spann v. Colonial Village, Inc.](#), 899 F.2d 24, 27 (D.C.Cir.1990))”.

10. As to CJA’s injuries, attributable to defendants, ¶95(b) identifies “membership and funding”. These injuries confer standing, evident from the Court’s Order, citing the Second Circuit’s 2024 decision in [Port Auth. Police Benevolent Assoc. v. City of New York](#), 718 F.Supp. 3d 300, 308, itself citing the Court’s **own** 2021 decision in “[Orthodox Jewish Coal. of Chestnut Ridge v. Village of Chestnut Ridge](#), No. 19 Civ. 443 (KMK), 2021 WL 1226930, at *14” for the proposition “(Article III injury supported by loss of membership)”. That decision, in turn, cites to the Second Circuit’s 2019 decision in [Dhinsa v. Kruege](#), 917 F.3d 70, 78, (2019), stating:

“monetary loss is a quintessential injury in fact, and even a small financial loss suffices to establish standing”.

11. As part of, yet also separate from, “pocketbook injury”, the Second Circuit’s *Port Authority* decision cites to its 2017 decision in [Centro de la Comunidad Hispana de Locust Valley v. Town of Oyster Bay](#), 868 F.3d 104, 111, for the proposition:

“([W]here an organization diverts its resources away from its current activities, it has suffered an injury that has been repeatedly held to be independently sufficient to confer organizational standing.” (citing [Havens Realty Corp.](#), 363, 379 (1989)))”.

The elaboration of this in *Centro* is, as follows:

“where an organization diverts its resources away from its current activities, it has suffered an injury that has been repeatedly held to be independently sufficient to confer organizational standing. *See Havens Realty Corp.*, 455 U.S. at 379⁴...(a ‘concrete and demonstrable injury to [an] organization’s activities – with the consequent drain on the organization’s resources – constitutes far more than simply a setback to the organization’s abstract social interests’...*Nnebe*, [644 F.3d at 157](#);⁵

³ [Irish Lesbian and Gay Org. v Giuliani, et al.](#), 143 F.3d 638 (2d Cir. 1998).

⁴ [Havens Realty Corp. v. Coleman](#), 455 U.S. 363 (1982).

⁵ [Nnebe v. Daus](#), 644 F.3d 147 (2d Cir. 2011).

Ragin, [6 F.3d at 905](#).⁶ Significantly, the Supreme Court has...reaffirmed *Havens Realty*'s holding that a nonprofit organization establishes an injury-in-fact if, as here, it establishes that it 'spent money to combat' activity that harms the organization's core activities. *Bank of Am. Corp. v. City of Miami*, -- U.S. --, [137 S.Ct. 1296](#), 1303...(2017)".

12. As with financial injury, the magnum is small. As stated by the Second Circuit in *Centro*, citing to Supreme Court authority and its own prior decisions in conformity therewith:

"The Supreme Court has held that an organization establishes an injury-in-fact if it can show that it was 'perceptibly impaired' by defendant's actions. *Havens Realty Corp. v. Coleman*, [455 U.S. 363, 379](#), ... (1982). Consequently, we have repeatedly held that 'only a 'perceptible impairment' of an organization's activities is necessary for there to be an 'injury in fact.' *Nnebe*, [644 F.3d at 157](#) (quoting *Ragin v. Harry Macklowe Real Estate Co.*, [6 F.3d 898, 905](#) (2d Cir. 1993)); *N.Y. Civil Liberties Union v. N.Y.C. Transit Auth.*, 684 F.3d 286, 294 (2d Cir. 2011) ; *N.Y. State Citizens' Coal. for Children v. Velez* , 629 Fed.Appx. 92, 94 (2d Cir. 2015).

13. At bar, the press' violation of their First Amendment responsibilities to report on the corruption of governance and public officers – and their rigging of elections as part thereof – forced plaintiff CJA to divert its limited resources away from its "core activities" of judicial accountability and organizational-building – the latter having to be ended completely – in order to expend MASSIVE amounts of time, energy, and money on repetitively soliciting and importuning reporters, editors, and then supervisory levels – and never with any result other than the further and accelerating deterioration of constitutional, lawful governance, resulting from the press' knowing and deliberate blockade on truthful, accurate reporting, in favor of falsification of what was and is going on.

14. To overcome this, plaintiff CJA initially took out public interest ads, at significant cost – the most expensive being its \$16,770 paid ad "[Where Do You Go When Judges Break the](#)

⁶ *Ragin v. Harry Macklowe Real Estate Co.*, 6 F.3d 898, 905 (2d Cir. 1993), identified in Port Authority as "organization alleged sufficient injury to protected interest where allegedly unlawful activity required it to spend time attempting to combat activity's effects rather than undertaking normal operations".

[Law?](#)”, published on the Op-Ed page of [The New York Times](#) on October 26, 1994, and reprinted, on November 1, 1994, at page 9 of the [New York Law Journal](#), at additional cost. Other ads included “[A Call for Concerted Action](#)”, published in the November 20, 1996 [New York Law Journal](#), at a cost of \$1,648.36, and “[Restraining ‘Liars In the Courtroom’ and On the Public Payroll](#)”, published at pages 3-4 of the August 27, 1997 on the [New York Law Journal](#), at a cost of \$3,077.22. These I furnished to the press, for years – with none making the slightest dent in budging investigative reporting – or any reporting at all. All the flagrant violations of law and corruption that these ads summarize – and which have been the subject of repetitive evidentiary presentations that I have made to the press throughout these subsequent decades – have continued, unabated.

15. Thereafter, as a further solution, plaintiff CJA diverted thousands of dollars – and expended thousands of hours of time – on its two state lawsuits against the press – from [2006-2008 against The New York Times](#) and from [2010-2013 against Gannett](#) – to establish the “journalistic fraud” and “institutional reckless disregard for truth” causes of action and, simultaneously, to fight back against their besmirching, defamatory journalism, concealing and falsifying the facts pertaining to governance and public officers that were their duty to investigate and report.

16. As to the latter, the Second Circuit’s *Port Authority* decision cites to its 1998 decision in [Irish Lesbian and Gay Org.](#) (at p. 650), for the proposition: “(organization could make out Article III injury based on alleged harm to reputation)”. Defendants have injured CJA in this respect as well – and ¶95(b) of the complaint so-reflects.

17. Besmirching, defamatory journalism, aimed at diminishing CJA and making a spectacle of me and my mother, Doris L. Sassower, Esq., CJA’s co-founder with me, has been a

hallmark of defendants’ reporting on us – the purpose of which has been to prevent public knowledge and appreciation of CJA’s achievements in exposing, with fact and law, the corruption of governance and public officers – and stunt plaintiff CJA’s organizational development, totally.

18. Two notable examples, in addition to the November 7, 2004 column “[*When the Judge Sledgehammered the Gadfly*](#)”, upon which plaintiffs’ libel claims in their lawsuit against The New York Times were based, and the May 6, 2009 article “[*Hecklers try to derail new judge*](#)”, upon which plaintiffs’ libel claims in their lawsuit against Gannet were based, are:

- the New York Post’s April 17, 2023 article “[*Court of Appeals pick Rowan Wilson clears NY state Senate Judiciary panel*](#)” by its then reporter Zachary Williams, stating – referring to me –

“A female protester briefly interrupted the proceedings by demanding to testify against Wilson, who she alleged was corrupt for unspecified reasons.

“We do have her testimony, as it were,” Hoylman-Sigal said.”⁷

- the November 30, 2018 live twitter feed of Politico reporter Bill Mahoney, with [*screenshots*](#) of me testifying before the Committee on Legislative and Executive Compensation, with his sarcastic captioning “Scott Stringer looks enthused to be listening to Elena Sassower, Albany’s most regular testifier”, followed by “DiNapoli also pumped to hear this”.⁸

19. As to myself as the individual plaintiff – which, as identified by the complaint’s caption, is in two capacities “individually and as director of the Center for Judicial Accountability,

⁷ My prior e-mail to Mr. Williams – who well knew who I was, from years of prior e-mails from me, when he was writing for City & State – sent at 8:46 pm on April 16, 2023, is [here](#), followed by my April 17, 2023 e-mail sent at 5:14 am, is [here](#) and, prior thereto, at 4:51 am, is [here](#). As I recollect, an [AP photo](#) and caption “[New York State Senate Sargent at arms surround Elena Sassower who protested the confirmation of chief judge of the court of appeals nominee Rowan D. Wilson](#)” was also posted on The New York Post website. This was the ONLY reporting of CJA’s serious and substantial opposition to then Associate Judge Wilson’s confirmation as chief judge – concealing, *in toto*, all the facts and law my e-mails furnished in connection therewith, including the corruption of then Senate Judiciary Committee Chair Hoylman-Sigal, in plain sight, at the hearing and prior thereto..

⁸ Here, too, there was nothing about the serious and substantial content of my [testimony](#), exposing the fraud of the November 30, 2018 article he would thereupon write, false from its very title, “[Heastie makes the case for a pay raise](#)”.

Inc.”— all of the financial and organizational injury to plaintiff CJA is injury to me, as I am its sole staff, unpaid, and its sole financial support – and have been for more than a decade. Before that, the only other unpaid staff was my mother, who also contributed financial support.

20. That ALL my 24/7 work, spanning decades, has come to nothing, substantively or organizationally, is a massive injury to me, in both my individual and professional capacities, attributable to the press. This injury is evident from the most cursory examination of my workproduct – accessible from CJA’s website and hyperlinked by the complaint – not just newsworthy, but mandating report by any press purporting to fulfill First Amendment responsibilities, with salutary, corruption-eradicating results, redounding to CJA’s credit, public profile, and ability to grow organizationally, with money, through membership and grants, to hire paid staff. The complaint’s ¶95(b) pertaining to CJA’s injury is identically injury to me, individually and professionally, as CJA’s only staff and funder.

21. Unlike ¶95(b) pertaining to CJA, not quoted by the Court’s Order, its page 3 does quote from ¶95(a) pertaining to me – expurgating it so as to state that it does not “satisfy the causal connection component of standing” by “alleg[ing] personal injury fairly traceable to the defendant’s allegedly unlawful conduct.”. Having cherry-picked out the text identifying “[the corruption] of constitutional, lawful state governance” and that my parents were “patriotic and courageous judicial whistle-blowing...lawyers”, and that I “was a child – and...now 69”, the Order states:

“As currently plead, Plaintiffs’ the Amended Complaint does not explain the causal connection between Defendants’ actions and the harm alleged to Plaintiff Sassower or her parents. Instead, Plaintiffs focus on how Defendants’ alleged complicity in the corrupt governance of New York State harms the people of the State of New York at large. (See Am. Compl. at 34–81.)”.

22. As relates to ¶95(a)'s summarized injury to me, individually, separate from CJA, attributable to defendants, any press upholding First Amendment responsibilities would have investigated the vicious retaliation to which my judicial whistle-blowing lawyer-parents alerted them, including fraudulent judicial decisions, *inter alia*, stripping them of their law licenses – and the corruption of ALL safeguards from which to secure redress. Yet, despite their massive outreach to the press, and my own, on their behalf – starting with my first, [my June 4, 1989 letter to reporters](#), written while my father was incarcerated⁹ – the press, instead of being a constitutional safeguard, were willing collaborators in the complained-against judicial and other corruption, repeating lies without concerning themselves with evidence establishing the truth.

23. As to the press' injury to my parents and our family, it is reflected by their lawsuits against the press.

24. My father brought at least the following:

- a lawsuit against the Daily News, among other defendants (Westchester Co. Index #10726-1978), whose December 15, 1978 amended verified complaint is [here](#);
- a lawsuit against the New York Law Journal, among other defendants, whose April 23, 1979 verified complaint is [here](#) (Westchester Co. Index #3607-1979);¹⁰
- a lawsuit solely against the New York Law Journal, whose April 23, 1979 verified complaint is [here](#) (Westchester Co. Index #3608-1979);
- a lawsuit against the New York Law Journal, among other defendants, whose August 18, 1982 verified complaint is [here](#) (Nassau Co. #20987-1982);

⁹ My father's incarceration, as prisoner #16293054, did not stop him from his own outreach to the press, as reflected by [his June 30, 1989 letter to a New Jersey Law Journal reporter](#), stating to her "whatever documentation you need, you merely have to request from my daughter Elena". The reporter's subsequent article, not based on investigation of such documentation, was published July 13, 1989, on the Law Journal's front page, with the title "[Frequent Filer Brings His Crusade to N.J.](#)", and includes my arrest, on bogus grounds, for rushing to my incarcerated father at the close of a May 23, 1989 hearing.

¹⁰ Although the plaintiffs in #3607-1979 are my mother and sister – and my mother has signed the complaint, as attorney – it was written and litigated by my father.

- a lawsuit against the Daily News, among other defendants, commenced in 1983/1985? (NY Co. #5774).

25. As for my mother, she filed an October 26, 1992 summons with notice against Gannett (Westchester Co #29094/92), [here](#), but due to the catastrophic judicial retaliation she and I were facing, at that time, was unable to proceed beyond that. Seventeen years later, the facts pertaining thereto were summarized at ¶4 of the [October 4, 2010 verified complaint](#) in the lawsuit against Gannett, whose plaintiffs were myself and my mother, each of us individually and in our respective capacities as CJA's director and president, and CJA, all three of us acting "Pro Bono Publico". In addition to annexing the 1992 summons with notice as Exhibit 3(a), the verified complaint annexed, as Exhibit 2(a), [my April 4, 1992 fax to Gannett](#) entitled "Your Libelous and Malicious story, appearing in today's newspaper...", stating:

"This is to record the fact that ten minutes ago, at 9:25 a.m., I received an offensive and insulting telephone call from a reader of your newspaper who told me that she was 'sick and tired' of reading the kind of stories about Doris Sassower and her daughter that have been appearing in your paper.

She refused to identify herself, but told me she would 'write an editorial' to the Gannett newspapers. Before I could even say anything in defense of myself or my mother, she hung up on me.

Immediately thereafter, I attempted to call the Metro Desk (694-5014) – but no one picked up the telephone..."

and, as Exhibit 2(b), [my mother's fax to Gannett six hours later](#), stating:

"This is to record the fact that at 12:50 p.m. today, I received a threatening telephone call from a man who stated that 'the ways of the Sassowers will be bombed tonight at 5 p.m., fuck off'.

I consider this threat to be a direct result of the deliberate smear campaign that Gannett has conducted against me. You have deliberately, and without justification, incited such hostility in the community as to now present a threat of physical harm to me and my family. We hold you responsible for the adverse consequences of today's false, distorted and defamatory story--as well as preceding ones of the same ilk.

The White Plains Police have already been notified. We request that your lawyers contact us immediately so that appropriate steps can be taken to deal with the dangerous situation which has been created by you.

My daughter called up Gannett at approximately 1:30 p.m. She confirmed with Mr. Kieran O’Leary, the editor in charge, that her faxed communication of 9:40 this morning had been received. She also related the foregoing telephone-threat to him. ...” (underlining in the original).

The verified complaint additionally annexed, as [Exhibit 3\(b\)](#), [Exhibit 3\(c\)](#), and [Exhibit 3\(d\)](#), correspondence from December 1995, reflecting Gannett’s retaliation against us at that time, based on the 1992 summons and notice, served upon Gannett in February 1993.

26. Obviously over and beyond the trauma and other life-disrupting and warping consequences of the press’ violation of its First Amendment duties pertaining to my parents, I suffered the financial injury they suffered – including the monies they were unable to leave to me and my two sisters because of what the press enabled to be done to them.

27. As for “the People of the State of New York”, the Order recognizes (at p. 3) that the focus of the amended complaint “(at 34–81.)” is the injury to the People, attributable to the press. It does not purport any deficiency in the particularization of the injury. Nor does the Order appear to challenge that plaintiff CJA can act on behalf of the People. Instead, the Order seems to imply that I, as a non-attorney, cannot act on the People’s behalf, further introducing the concept of “third party”, stating, as to this:

“the Supreme Court has routinely held that ‘one may not claim standing . . . to vindicate the constitutional rights of some third party.’ [Singleton v. Wulff](#), 428 U.S. 106, 114 (1976) (internal quotation marks and citations omitted); see also [Hollingsworth v. Perry](#), 570 U.S. 693, 707–08 (2013) (noting that ‘a litigant must assert his or her own legal rights and interests and cannot rest a claim to relief on the legal rights or interests of third parties.’ (internal quotation marks and citation omitted)).”

28. This materially misrepresents these two cases to remove the qualifications that is part of what “the Supreme Court has routinely held”:

(a) In [Singleton v. Wulff](#), the Supreme Court stated (at pp. 114-116):

“the Court’s general rule: ‘**Ordinarily**, one may not claim standing in this Court to vindicate the constitutional rights of some third party.’ *Barrows v. Jackson*, 346 U.S. at [346 U. S. 255](#). See also *Flast v. Cohen*, 392 U.S. at [392 U. S. 99](#) n. 20; *McGowan v. Maryland*, [366 U. S. 420](#), [366 U. S. 429](#) (1961).

Like any general rule, however, this one should not be applied where its underlying justifications are absent. With this in mind, the Court has looked primarily to two factual elements to determine whether the rule should apply in a particular case. The first is the relationship of the litigant to the person whose right he seeks to assert. If the enjoyment of the right is inextricably bound up with the activity the litigant wishes to pursue, the court at least can be sure that its construction of the right is not unnecessary in the sense that the right’s enjoyment will be unaffected by the outcome of the suit. Furthermore, the relationship between the litigant and the third party may be such that the former is fully, or very nearly, as effective a proponent of the right as the latter. ...

The other factual element to which the Court has looked is the ability of the third party to assert his own right. Even where the relationship is close, the reasons for requiring persons to assert their own rights will generally still apply. If there is some genuine obstacle to such assertion, however, the third party’s absence from court loses its tendency to suggest that his right is not truly at stake, or truly important to him, and the party who is in court becomes, by default, the right’s best available proponent.” (bold added).

(b) In [Hollingsworth v. Perry](#), the Supreme Court reiterated:

“‘[i]n the ordinary course, a litigant must assert his or her own legal rights and interests, and cannot rest a claim to relief on the legal rights or interests of third parties.’ *Powers v. Ohio*, 499 U. S. 400, 410 (1991) . **There are ‘certain, limited exceptions’ to that rule.** *Ibid.* But even when we have allowed litigants to assert the interests of others, the litigants themselves still ‘must have suffered an injury in fact, thus giving [them] a sufficiently concrete interest in the outcome of the issue in dispute.’ *Id.*, at 411 (internal quotation marks omitted).” (bold added).

29. As to the “third party” issue, the Order’s further cited case (at p. 2) of “[Wright-Upshaw v. Nelson](#), 13-CV-33, 2014 WL 692870, at *4 (E.D.N.Y. Feb. 19, 2014),” sets forth the state of the law:

“a plaintiff asserting a claim on behalf of a third party must satisfy all of the constitutional standing requirements and must additionally demonstrate ‘a close relation to the injured third party and a hindrance to that party’s ability to protect its own interests.’ *Mid-Hudson*, [418 F.3d at 174](#).”¹¹

¹¹ *Mid-Hudson Catskill Rural Migrant Ministry, Inc. v. Fine Host Corp.*, [418 F.3d 168, 173](#) (2d Cir. 2005).

30. Having now, by the above-particularization of the complaint's ¶95(a), satisfied the "constitutional standing requirements" as to myself of injury, attributable to defendants, here is the required "close relation to the injured third party and a hindrance to that party's ability to protect its own interests"

31. I have a "close relation" to "the People of the State of New York", the subject of the complaint's ¶95(c), as I am one of those People, yet materially different in that I am not "clueless" as to what has been going on, "destroying a 'Republican Form of Government'", concealed and abetted by the press, with which I have interacted for decades, at injurious personal cost. This press-caused "clueless"-ness wholly prevents "the People of the State of New York" from protecting themselves in ANY respect – including by elections to "throw the bums out" – these bums being their elected constitutional officers in New York's three branches of its state government who have betrayed the People by their violations of their oaths of office.

32. Indeed, at issue is not just "hindrance", but the utter impossibility of a "clueless" "People of the State of New York" protecting their own interests, other than through CJA and myself, where, moreover, the only state officers who would have standing to do so – first and foremost, New York's Attorney General – are the very ones who have subverted New York's "Republican Form of Government".

33. In this regard, this case meets the high standard for "third party" standing that was focal to Justice Powell's dissent in *Singleton v. Wulf*, wherein, joined by Chief Justice Burger and Associate Justices Stewart and Rehnquist, he stated (at p. 126):

"assertion is proper not when there is merely some 'obstacle' to the [third party] rightholder's own litigation, but when such litigation is, in all practicable terms, impossible."

34. All of the foregoing, sufficient at the pleading stage – and for summary judgment – represents concrete and actual injury, past and ongoing, attributable to defendants, remedial by the complaint’s four causes of action – for “Journalistic Fraud”, “Institutional Reckless Disregard for Truth”, “Defrauding Purchasers, Contributors, & Taxpayers”, and “Conspiracy” – and by its requested other and further relief:

“referring defendants to the U.S. Department of Justice and Federal Communications Commission for investigation and prosecution of their frauds and conspiracy crimes.”

Elena Ruth Sassower

Sworn to before me
this _____ day of January 2026

Notary Public