

From: elena@judgewatch.org
Sent: Monday, November 17, 2025 8:14 AM
To: 'janebambauer@ufl.edu'
Subject: **Your First Amendment Scholarship -- & Participation, as Amicus Curiae or Counsel, in Federal Lawsuit vs the NYT & 33 Other Press Defendants, in Vindication of the First Amendment & Constitutional, Lawful Governance**
Attachments: [cja-oct-29-2025-amended-complaint.pdf](#)

TO: [University of Florida Law Professor Jane Bambauer](#)
**Brechner Eminent Scholar Chair at the Levin College of Law
& the College of Journalism & Communications**

I am director and co-founder of the non-partisan, non-profit citizens' organization [Center for Judicial Accountability, Inc. \(CJA\)](#), with decades of first-hand experience and primary-source, documentary evidence germane to your scholarship about the press and its discharge of its First Amendment responsibilities.

This is reflected by a monumental federal lawsuit that CJA has brought "*on behalf of the People of the State of New York & the Public Interest*" against The New York Times and 33 other press defendants for their *knowingly* false, corruption-abetting, election-rigging journalism—chronicling, in particular, their rigging of Zohran Mamdani's electoral win as New York City mayor and other top NYC and state races. Above-attached and here-linked is the [October 29th verified amended complaint](#) for the lawsuit, commenced October 8th in the U.S. District Court for the Southern District of New York (25-CV-8370).

The lawsuit seeks judicial recognition of causes of action for "journalistic fraud" and "reckless institutional disregard for truth". Are you familiar with these First Amendment-vindicating causes of action, proposed more than two decades ago by law review articles "[Journalistic Malpractice: Suing Jayson Blair and the New York Times for Fraud and Negligence](#)" (2003) and "[Institutional Reckless Disregard for Truth in Public Defamation Actions against the Press](#)" (2004-2005)? Has there been any commentary by legal scholars about these proposed causes of action – and about lawsuits testing them? Certainly, from your October 17, 2024 [Free Speech Unmuted](#) podcast "[Misinformation: Past, Present, and Future](#)", co-hosted with Professor Eugene Volokh, it appears not.

I look forward to discussing the foregoing with you at your earliest convenience – and whether, apart from your First Amendment scholarship, you would be interested in participating in the lawsuit, either as *amicus curiae* in support of plaintiffs or as counsel to the unrepresented corporate plaintiff CJA, which I cannot represent as I am not a lawyer.

My opinion, as the non-lawyer individual plaintiff, is that the lawsuit is a summary judgment case, as there is NO defense to it factually or legally. The SOLE issue is the magnitude of compensatory, presumed, and punitive damages – a jury determination that will reasonably be many tens of billions of dollars. What is your opinion as a lawyer, law professor, and First Amendment scholar?

Thank you.

Elena Sassower, Director

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