

From: elena@judgewatch.org
Sent: Wednesday, January 21, 2026 12:54 PM
To: 'eleib1@law.fordham.edu'
Cc: 'pinero@fordham.edu'

Subject: Have you read the Oct 29th verified amended complaint, germane to your law review articles on the Guarantee Clause & the NY Court of Appeals?

Dear Professor Leib –

Thank you for your prompt response. However, I am not asking you to “track” the federal lawsuit. I am asking you whether it is not **germane to your scholarship, as exemplified by your OWN law review articles** "[Redeeming the Welshed Guarantee: A Scheme for Achieving Justiciability](#)" and "[Interpretive Divergence in the New York Court of Appeals](#)".

Have you read the [October 29th verified amended complaint](#)? Kindly confirm that you have, as I believe that had you read it, you would recognize the catastrophic, democracy-dooming situation we are in and your responsibility, at very least, to forward the lawsuit to your fellow scholars to whom it would be relevant. Wishing me “Best of luck” is not sufficient, nor consistent with your professional and civic responsibilities as a scholar, lawyer, and citizen.

I would appreciate speaking with you about the foregoing. Might you schedule a phone conversation with me for next week?

Please advise.

Thank you.

Elena Sassower

From: Ethan J Leib <eleib1@fordham.edu>
Sent: Wednesday, January 21, 2026 11:42 AM
To: elena@judgewatch.org
Cc: pinero@fordham.edu

Subject: Re: Your Scholarship: The Guarantee Clause of the U.S. Constitution -- & Federal Lawsuit vs The NYT & 33 Other Press Defendants Pursuant Thereto in Vindication of the First Amendment & Constitutional, Lawful Governance

With respect, this isn't something I can track given my other responsibilities. Best of luck to you.

EJL

Ethan J Leib
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On Wed, Jan 21, 2026 at 11:09 AM <elena@judgewatch.org> wrote:

TO: [Fordham Law School Professor Ethan Leib](#)

How disappointing to have received no response from you or your assistant to my below November 28th e-mail. **Is it not germane to your scholarship**, including your 2024 law review article "[*Interpretive Divergence in the New York Court of Appeals*](#)".

By way of update, here linked are the [October 29, 2025 verified amended complaint in the federal lawsuit, signed by CJA's counsel on January 5, 2026 and refiled](#) and my [December 19, 2025 affidavit demonstrating subject matter jurisdiction](#), highlighting the unprecedented manner in which the district court has proceeded in this monumental, summary judgment case.

Please confirm that the lawsuit will be part of your scholarship – and, if not, the reason and your recommendations of other scholars for whom it would be relevant.

Thank you.

Elena Sassower, Director
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From: elena@judgewatch.org <elena@judgewatch.org>
Sent: Friday, November 28, 2025 8:30 AM
To: 'leib1@law.fordham.edu' <leib1@law.fordham.edu>
Cc: 'pinero@fordham.edu' <pinero@fordham.edu>

Subject: Amici & Counsel Needed: Guarantee Clause of the U.S. Constitution -- & Federal Lawsuit vs The NYT & 33 Other Press Defendants Pursuant Thereto in Vindication of the First Amendment & Constitutional, Lawful Governance

TO: [Fordham Law School Professor Ethan Lieb](#)

I am co-founder and director of the non-partisan, nonprofit citizens' organization [Center for Judicial Accountability, Inc. \(CJA\)](#).

A *propos* of your 2002 law review article "[Redeeming the Welshed Guarantee: A Scheme for Achieving Justiciability](#)", I am writing to alert you that embodying several of its observations is the federal lawsuit that CJA and I have brought on our own behalf and "*and on behalf of the People of the State of New York & the Public Interest*", pursuant to the Guarantee Clause, against [The New York Times](#) and 33 other press defendants.

Above-attached and here-linked is the [October 29, 2025 amended verified complaint](#) whose first paragraph reads:

"Pursuant to Article 4, §4 of the United States Constitution, 'The United States shall guarantee to every State in this Union a Republican Form of Government...', and the First Amendment to the Constitution pertaining to the press, as explicated by federal caselaw...and the First Amendment's guarantee of 'the right of the people...to petition the Government for a redress of grievances', and the further guarantees of the Fifth Amendment^{fn} and the Fourteenth Amendment, §1^{fn} to every 'person' of 'due process of law' and 'the equal protection of laws', plaintiffs seek declaratory relief and compensatory, presumed, and punitive damages against defendants for their *knowingly* false, 'fake news', corruption-abetting, election-rigging journalism, concealing and enabling the destruction of constitutional, lawful governance in New York State, culminating in corrupt candidates running on the 2025 election ballots – and, in particular, for New York City mayor, for New York City public advocate, for Manhattan borough president, for Manhattan district attorney, for Brooklyn district attorney, and to be district attorneys in approximately a dozen other counties throughout the state – and their election." (underlining added).

In addition to furnishing the lawsuit to you for your scholarship, I would appreciate discussing it with you and exploring whether you would be interested in participating as an *amicus curiae* or as paid counsel to CJA, which, because I am a non-lawyer, I cannot represent. I believe the lawsuit to be 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.

The district court's irregular handling of the lawsuit, highlighted by my [November 19th letter to the district court judge](#), only reinforces this – as does my [drafted responding affidavit, for submission in January, disposing, at the outset, and before defendants are even served](#), of a subject matter jurisdiction defense of standing.

If you are unable to participate in the lawsuit, I would be grateful for your recommendations of other constitutional law scholars and attorneys – or, better yet, your forwarding this e-mail to them, directly, so that no time is wasted in putting together a crackerjack legal team for what is clearly monumental and fundamental to self-governance and "a Republican Form of Government".

Thank you.

Elena Sassower, Director
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