

From: elena@judgewatch.org
Sent: Friday, January 23, 2026 12:33 PM
To: 'fsmith@law.stanford.edu'
Cc: 'mdunkle@law.stanford.edu'

Subject: AGAIN: 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: [Law Professor Fred O. Smith, Jr./Stanford Law School](#)

How disappointing to have received no response from you or your assistant to my below November 26th e-mail. **Is it not directly germane to your scholarship and teaching?**

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.

Please confirm that the lawsuit will be part of your scholarship and teaching – 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: Wednesday, November 26, 2025 7:59 AM
To: 'fsmith@law.stanford.edu' <fsmith@law.stanford.edu>
Cc: 'mdunkle@law.stanford.edu' <mdunkle@law.stanford.edu>

Subject: 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: [Law Professor Fred O. Smith, Jr./Stanford Law School](#)

As you are a [scholar of the guarantee clause of the U.S. Constitution](#), I am writing to alert you to a major federal lawsuit that I and the non-partisan, non-profit citizens' organization [Center for Judicial Accountability, Inc. \(CJA\)](#), of which I am co-founder and director, have brought pursuant thereto, on our own behalf "*and on behalf of the People of the State of New York & the Public Interest*", 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 and teaching, 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.

In the event you are unable to participate in the lawsuit, I would appreciate if you would furnish me with the names of constitutional law professors or attorneys who would – or, better yet, forward 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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