

From: elena@judgewatch.org
Sent: Wednesday, May 20, 2026 12:44 PM
To: 'jturley@law.gwu.edu'
Cc: 'jtobin@jns.org'; 'editor@jns.org'

Subject: **Responding to your NY Post column & blog with a SIMPLE QUESTION: Do you agree that Israel could successfully bring a federal lawsuit suing The NYT & Nicholas Kristof for "journalistic fraud" and "institutional reckless disregard for truth"?**

Attachments: [no18-1-oct29-2025-verified-amended-complaint-signed-by-zerman.pdf](#)

TO: [Professor Jonathan Turley](#)

Your May 17th New York Post column "[Why Israel's lawsuit against Times over 'blood libel' has a chance](#)" and [May 18th blog](#) are not encouraging of Israel's success in a defamation lawsuit, filed in the U.S. – and are being so-interpreted, as, for instance, by Jewish News Syndicate Editor-in-Chief Jonathan Tobin in his yesterday's column "[The four reasons why we can't move on from a blood libel](#)" and his today's [podcast](#).

However, **would you not agree that Israel and Prime Minister Netanyahu, on its behalf, could successfully sue The Times and Mr. Kristof in the U.S. District Court for the Southern District of New York for "journalistic fraud" and "institutional reckless disregard for truth" – causes of action proposed as viable under the First Amendment more than 20 years ago by law scholars in 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](#)" (2005) – and demonstrated as viable by an existing lawsuit, unfolding in the U.S. District Court for the Southern District of New York, brought by the [Center for Judicial Accountability, Inc. \(CJA\)](#) and myself as its director on our "own behalf and on behalf of the People of the State of New York & the Public Interest", against The Times and 33 other press defendants, suing them for their *knowingly* false, corruption-abetting, election-rigging journalism, destroying constitutional, lawful New York state governance and pivotally-focused on their rigging of the 2025 electoral win of Zohran Mamdani as New York City mayor.**

Last year, by my below November 16th, November 21st, and December 3rd e-mails, I alerted you to the "journalistic fraud" and "institutional reckless disregard for truth" causes of action and CJA's federal lawsuit, but received no responses from you.

Indeed, I received virtually no responses from the dozens of other law professors and First Amendment scholars to whom I turned or from academic and research institutions – and such responses as I did receive did not deny or dispute the viability of the "journalistic fraud" and "institutional reckless disregard for truth" causes of action, or the far-reaching significance of CJA's lawsuit, or that the unprecedented course of the lawsuit in the district court reinforces what the above-attached and here-linked [October 29, 2025 verified amended complaint](#) makes obvious, namely, that **CJA's federal lawsuit, [substantiated by a mountain of open-and-shut, prima facie, documentary evidence](#), is a summary judgment case, to which there is NO defense, factually or legally – and that 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.**

[CJA's webpage for the lawsuit](#), from which the electronic docket is accessible, includes a link for [CJA's webpage of my extensive outreach to scholars, including my prior three e-mails to you](#) and additionally

features my [May 8th letter to the district court judge](#), summing up where matters stand. From this, you can easily answer **the SIMPLE QUESTION** here asked: **Do you agree that Israel could successfully bring a federal lawsuit suing The New York Times and Nicholas Kristof for "journalistic fraud" and "institutional reckless disregard for truth"?**

So that the public and Prime Minister Netanyahu may be accurately informed as to Israel's legal remedies – which they must be – please expeditiously advise me and Mr. Tobin, herein cc'd, as to your answer.

Finally, I take this opportunity to correct the statement in your May 17th [New York Post](#) column and May 18th blog:

"A newspaper with an overwhelmingly Democratic and liberal readership, critics have accused the paper of pandering to its increasingly anti-Israeli base. According to [recent polls](#), two-thirds of Democrats (67%) now support Palestinians over Israel (17%)."

You have it backwards. It is [The Times](#)' decades of flagrantly biased, false, and vilifying journalism about Israel – and that of other left/"progressive" U.S. media, indoctrinating the People with lies – that have caused the catastrophic plummeting of support for Israel – a fact that should also be inserted into your today's blog "[Texas Democratic Candidate Pledges Prison and Castration for American Zionists](#)", stating:

"The anti-Israeli movement has been growing for years in the Democratic Party. According to [recent polls](#), two-thirds of Democrats (67%) now support Palestinians over Israel (17%). Almost sixty percent of Democrats have a negative view, and only 13% holding a positive view of Israel."

I am available to speak with you directly – and to answer questions – and would welcome the opportunity to do so.

Thank you.

Elena Sassower, Director
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From: elena@judgewatch.org <elena@judgewatch.org>

Sent: Wednesday, December 3, 2025 8:41 AM

To: 'jturley@law.gwu.edu' <jturley@law.gwu.edu>

Subject: Your today's article about review of "the media 'rules of engagement'" -- & CJA's federal lawsuit to establish judicial recognition of causes of action for "journalistic fraud" & "institutional reckless disregard for truth"

TO: [Professor Jonathan Turley](#)

RE: Your today's article "[New York Times Debunks War Crime Story By the Washington Post](#)" concludes by stating "the media 'rules of engagement' also warrant some review". That is precisely what CJA's above-attached and here-linked [federal lawsuit against the press](#) seeks to accomplish by causes of action for "journalistic fraud" and "institutional reckless disregard for truth".

Have you examined the lawsuit? – the subject of my below November 21st and November 16th e-mails to you. Do you favor judicial recognition of those two causes of action – and would you be willing to file an *amicus curiae* brief in support or appear as paid or *pro bono* counsel to CJA, which I cannot represent as I am not an attorney. At very least, will you recommend other law professors or lawyers with First Amendment/constitutional law expertise for me to contact – or make referral, on my behalf?

The district court's irregular handling of the lawsuit, highlighted by my [November 19th letter to the district court judge](#), only reinforces that this is a summary judgment case, to which there is NO defense, in fact or law – and such is further evident from 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.

Please let me hear from you.

Thank you.

Elena Sassower
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From: elena@judgewatch.org <elena@judgewatch.org>

Sent: Friday, November 21, 2025 11:13 AM

To: 'jturley@law.gwu.edu' <jturley@law.gwu.edu>

Subject: UPDATE -- Paid or Pro Bono Counsel Needed to Represent CJA in Federal Lawsuit vs The NYT & 33 Other Press Defendants, in Vindication of the First Amendment & Constitutional, Lawful Governance

TO: [Professor Jonathan Turley](#)

Following up my below e-mail concerning [CJA's federal lawsuit](#), suing the [NYT](#) & 33 other media defendants for "journalistic fraud" and "institutional reckless disregard for truth", I would appreciate if you would let me know by Monday, November 24th, whether you would be interested in serving as CJA's paid or *pro bono* counsel.

This past Monday, I received a *sua sponte* order from the federal district court judge assigned to the case directing that I show cause with respect to subject matter jurisdiction, noting, as "a threshold matter", the absence of counsel representing CJA – to which I responded by a [November 19th letter](#).

If you are not interested or able to represent CJA in this important case, won't you kindly recommend other law professors or lawyers with First Amendment/constitutional law expertise for me to contact – or make referral, on my behalf?

Thank you.

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From: elena@judgewatch.org <elena@judgewatch.org>

Sent: Sunday, November 16, 2025 3:15 PM

To: 'jturley@law.gwu.edu' <jturley@law.gwu.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

TO: [Professor Jonathan Turley](#)

Earlier this year [I alerted you, repeatedly](#), to the *knowingly* false, corruption-abetting, election-rigging journalism of New York's press – not confined to NPR and PBS – and to the causes of action for “journalistic fraud” and “institutional reckless disregard for truth”, proposed more than two decades ago by the 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).

This is now the subject of 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 violation of their First Amendment responsibilities, destroying constitutional, lawful governance – pivotally focused on their rigging of Zohran Mamdani's NYC mayoral win and other top 2025 NY city and state races. Above-attached and here-linked is the [October 29th verified amended complaint](#) for the lawsuit, which was filed October 8th in the U.S. District Court for the Southern District of New York. Its four causes of action are “Journalistic Fraud”, “Institutional Reckless Disregard for Truth”, “Defrauding Purchasers, Contributors, & Taxpayers”, and “Conspiracy”.

I believe it is a summary judgment case, there being 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? And would you consider participating in the case, either by filing an *amicus curiae* brief on behalf of the plaintiffs or as paid or *pro bono* counsel to the unrepresented corporate plaintiff CJA, which I cannot represent as I am not an attorney.

I look forward to discussing the foregoing with you – no matter how early or late, and as soon as possible. Please call.

Thank you.

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