

From: elena@judgewatch.org
Sent: Monday, December 1, 2025 10:51 AM
To: 'faigmand@uclawsf.edu'
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Subject: **Scholarship, 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**

Attachments: [cja-oct-29-2025-amended-complaint.pdf](#)

TO: [University of California/San Francisco Law School Chancellor & Dean David Faigman](#)

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

Relevant to your excellent 1996 law review article "[‘And to the Republic for Which It Stands’: Guaranteeing a Republican Form of Government](#)", especially its discussion of lawmaking reposed in a legislature, I am writing to alert you to a major 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*" against The New York Times and 33 other press defendants, seeking to establish judicial recognition of causes of action for "journalistic fraud" and "institutional reckless disregard for truth", pursuant to and in furtherance of the Guarantee Clause.

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 scholarship and teaching, including by the law school's new [Center for Constitutional Democracy](#), I would appreciate discussing it with you and/or with the Center's [Executive Director Nicole A. Ozer](#), herein cc'd, and exploring whether you, the Center, or other law school scholars of constitutional law, media law, and federal practice might participate as *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.

As it is essential to put together a crackerjack legal team for what is clearly a monumental, if not unprecedented, lawsuit, fundamental to “a Republican Form of Government”, I look forward to hearing from you as soon as possible.

Thank you.

Elena Sassower, Director
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