

**Subject: RE: Jan 19, 2007 conference -- Putting into Practice "Constitutional Theories of Media Reform" in Vindication of the First Amendment**

**Date:** 1/22/2007, 5:33 PM

**From:** Malla Pollack <[mpollack@ajsl.us](mailto:mpollack@ajsl.us)>

**To:** 'Ctr for Judicial Accountability' <[judgewidthers@aol.com](mailto:judgewidthers@aol.com)>

While I greatly enjoyed meeting you (twice), I have decided not to become involved in your lawsuit. Sincerely,

Malla Pollack  
Professor, American Justice School of Law  
[mpollack@ajsl.us](mailto:mpollack@ajsl.us)  
270-744-3300 x 28

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**From:** Ctr for Judicial Accountability [<mailto:judgewidthers@aol.com>]

**Sent:** Wednesday, January 17, 2007 11:24 AM

**To:** [mpollack@ajsl.us](mailto:mpollack@ajsl.us)

**Subject:** Jan 19, 2007 conference -- Putting into Practice "Constitutional Theories of Media Reform" in Vindication of the First Amendment

Dear Professor Pollack,

We sat beside each other on Friday, January 12th, in the big auditorium at the Media Reform Conference in Memphis. I gave you a two-sided handout about a first-of-its-kind public interest lawsuit against The New York Times -- also posted on our website, [www.judgewidth.org](http://www.judgewidth.org) [See "Latest News"].

Little did I realize, when we met, that you are a panelist at the January 19th conference at Hofstra Law School -- "*Reclaiming the First Amendment: A Conference on Constitutional Theories of Media Reform*" -- and that I had e-mailed you in December.

Indeed, in December, I e-mailed all participants of the January 19th conference, sending them a memo about the Times lawsuit. Yours came back with a "fatal error". The same thing happened when I re-sent the e-mail this morning, following which I faxed it to the University of Idaho. A short time ago, Linda Kiss from the University of Idaho was kind enough to call, to inform me that you were no longer there, but could be reached through the American Justice School of Law in Paduca. It was then that I realized I had met you -- and found the card you had given me, bearing your contact information.

This e-mail follows the telephone message for you, which I left with Camille at the American Justice School of Law.

I look forward to seeing you, again, at Hofstra.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
Tel: 914-421-1200  
Direct E-Mail: [judgewidthers@aol.com](mailto:judgewidthers@aol.com)

----- Original Message -----

**Subject:** Jan 19, 2007 conference -- Putting into Practice "Constitutional Theories of Media Reform" in Vindication of the First Amendment

**Date:** 1/17/2007, 9:19 AM

**From:** Ctr for Judicial Accountability <[judgewidthers@aol.com](mailto:judgewidthers@aol.com)>

**To:** [marjorie.heins@nyu.edu](mailto:marjorie.heins@nyu.edu), [jbarron@law.gwu.edu](mailto:jbarron@law.gwu.edu), [ebaker@law.upenn.edu](mailto:ebaker@law.upenn.edu), [llevi@law.miami.edu](mailto:llevi@law.miami.edu), [ellgood@camlaw.rutgers.edu](mailto:ellgood@camlaw.rutgers.edu), [rwmccches@uiuc.edu](mailto:rwmccches@uiuc.edu), [lawadt@hofstra.edu](mailto:lawadt@hofstra.edu), [president@hofstra.edu](mailto:president@hofstra.edu), [lawlzf@hofstra.edu](mailto:lawlzf@hofstra.edu), [magarian@law.villanova.edu](mailto:magarian@law.villanova.edu),

[bobcornrevere@dwt.com](mailto:bobcornrevere@dwt.com), [netanel@law.ucla.edu](mailto:netanel@law.ucla.edu), [travish@fiu.edu](mailto:travish@fiu.edu), [aegarfield@widener.edu](mailto:aegarfield@widener.edu),  
[diane.zimmerman@nyu.edu](mailto:diane.zimmerman@nyu.edu), [avarona@wcl.american.edu](mailto:avarona@wcl.american.edu), [obracha@mail.law.utexas.edu](mailto:obracha@mail.law.utexas.edu),  
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[cl37@georgetown.edu](mailto:cl37@georgetown.edu), [mpollack@uidaho.edu](mailto:mpollack@uidaho.edu), [mepstein@swlaw.edu](mailto:mepstein@swlaw.edu), [lhwiner@asu.edu](mailto:lhwiner@asu.edu),  
[lawbej@hofstra.edu](mailto:lawbej@hofstra.edu), [lawrdc@hofstra.edu](mailto:lawrdc@hofstra.edu), [campbeaj@law.georgetown.edu](mailto:campbeaj@law.georgetown.edu),  
[pfink@albanylaw.edu](mailto:pfink@albanylaw.edu)

cc: [lawemf@hofstra.edu](mailto:lawemf@hofstra.edu)

**Organization:** Center for Judicial Accountability, Inc.

Dear Professors:

As I have received no response from any of you to my December 14, 2006 memo about the Center for Judicial Accountability's groundbreaking public interest lawsuit against The New York Times for journalistic fraud -- putting into practice three separate law review articles, including Professor Baron's "Access to the Press -- a New First Amendment Right" -- I am resending the e-mail which transmitted it.

Although the full lawsuit record is posted on CJA's website, [www.judgewatch.org](http://www.judgewatch.org) -- accessible via the sidebar link "Suing The New York Times" -- I will, for your convenience, be bringing a duplicate copy to the conference for your review.

I look forward to answering your questions and to your scholarly opinion and comment about this history-making case.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
Tel: 914-421-1200  
Direct E-Mail: [judgewatchers@aol.com](mailto:judgewatchers@aol.com)

----- Original Message -----

**Subject:** Superseding memo -- Jan 19, 2007 conference -- Putting into Practice "Constitutional Theories of Media Reform" in Vindication of the First Amendment

**Date:** 12/15/2006, 4:29 PM

**From:** Ctr for Judicial Accountability <[judgewatchers@aol.com](mailto:judgewatchers@aol.com)>

**To:** [marjorie.heins@nyu.edu](mailto:marjorie.heins@nyu.edu), [jbarron@law.gwu.edu](mailto:jbarron@law.gwu.edu), [ebaker@law.upenn.edu](mailto:ebaker@law.upenn.edu), [llevi@law.miami.edu](mailto:llevi@law.miami.edu),  
[ellgood@camlaw.rutgers.edu](mailto:ellgood@camlaw.rutgers.edu), [rwmccches@uiuc.edu](mailto:rwmccches@uiuc.edu), [lawadt@hofstra.edu](mailto:lawadt@hofstra.edu),  
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[bobcornrevere@dwt.com](mailto:bobcornrevere@dwt.com), [netanel@law.ucla.edu](mailto:netanel@law.ucla.edu), [travish@fiu.edu](mailto:travish@fiu.edu), [aegarfield@widener.edu](mailto:aegarfield@widener.edu),  
[diane.zimmerman@nyu.edu](mailto:diane.zimmerman@nyu.edu), [avarona@wcl.american.edu](mailto:avarona@wcl.american.edu), [obracha@mail.law.utexas.edu](mailto:obracha@mail.law.utexas.edu),  
[pasquafa@shu.edu](mailto:pasquafa@shu.edu), [dkohler@swlaw.edu](mailto:dkohler@swlaw.edu), [chandler@uottawa.ca](mailto:chandler@uottawa.ca), [rhowitz@weber.ucsd.edu](mailto:rhowitz@weber.ucsd.edu),  
[cl37@georgetown.edu](mailto:cl37@georgetown.edu), [mpollack@uidaho.edu](mailto:mpollack@uidaho.edu), [mepstein@swlaw.edu](mailto:mepstein@swlaw.edu), [lhwiner@asu.edu](mailto:lhwiner@asu.edu),  
[lawbej@hofstra.edu](mailto:lawbej@hofstra.edu), [lawrdc@hofstra.edu](mailto:lawrdc@hofstra.edu), [campbeaj@law.georgetown.edu](mailto:campbeaj@law.georgetown.edu),  
[pfink@albanylaw.edu](mailto:pfink@albanylaw.edu)

cc: [lawemf@hofstra.edu](mailto:lawemf@hofstra.edu)

**Organization:** Center for Judicial Accountability, Inc.

**RE: JANUARY 19, 2007 CONFERENCE: "RECLAIMING THE FIRST AMENDMENT: A CONFERENCE ON CONSTITUTIONAL THEORIES OF MEDIA REFORM", ETC.**

The attached corrects slight errors and omissions in the memo sent yesterday -- most importantly as to the filing of our appellants' brief and the *amicus curiae* briefs.

Apologies for the inconvenience -- and I thank you, in advance, for the courtesy of your responses.

**Subject: Follow-up Questions: National Conference for Media Reform --  
Memphis**

**Date:** 1/20/2007, 2:07 PM

**From:** Ctr for Judicial Accountability <[judgewatchers@aol.com](mailto:judgewatchers@aol.com)>

**To:** [jnichols@madison.com](mailto:jnichols@madison.com)

**Organization:** Center for Judicial Accountability, Inc.

Dear John,

We met twice in Memphis at the National Conference for Media Reform.

The first time was in the big auditorium, I believe on Friday afternoon, January 12th. I commended you for organizing such important conference -- and gave you a double-sided handout, which I identified as about a first-of-its-kind public interest lawsuit against The New York Times for journalistic fraud, representing a powerful means for advancing media reform.

The second time was on Sunday afternoon, January 14th, in the lobby of the Marriott Hotel, a couple of hours after the conference had ended. I reminded you that I was the person who had given you the handout about the lawsuit against The New York Times, advancing media reform, and asked you whether you knew where I could find Bob McChesney. You stated that you were going to be meeting with him in 45 minutes -- and agreed to give him the further copy of the handout I gave you, along with my correspondence about Hofstra Law School's January 19th conference on media reform in which he was participating. I asked you to tell him that I would be seeing him at the Hofstra conference.

Yesterday, I saw Bob McChesney at the Hofstra conference -- and briefly spoke with him. He stated he had NOT received from you the handout and correspondence. Is this true? Did you forget to give them to him -- and do you still have them?

Also, in our January 14th conversation together in the Marriott lobby, I told you that I was surprised to learn that the mother of imprisoned blogger Josh Wolf had come to the National Media Reform Conference her own and had been staying at the far off (& rather dumpy) Artesan Hotel -- no financial or other arrangements having been made for her. As I recall, your response was "It's Josh's decision". Do I understand from this that Free Press does not support Josh's decision not to testify before a grand jury. If so, has Free Press explained its reason to Josh so that he might reconsider his decision and be released from incarceration?

I thank you, in advance, for the courtesy of your prompt response to the foregoing questions.

Elena Ruth Sassower, Director

Center for Judicial Accountability, Inc. (CJA) -- [www.judgewatch.org](http://www.judgewatch.org)

Tel: 914-421-1200

Direct E-Mail: [judgewatchers@aol.com](mailto:judgewatchers@aol.com)

**Subject: RE: Follow-up Questions: National Conference for Media Reform -- Memphis**

**Date: 1/20/2007, 5:18 PM**

**From: John Nichols <JNichols@madison.com>**

**To: Ctr for Judicial Accountability <judgewatchers@aol.com>**

Dear Elena: I did get a chance to look over your paperwork. Very interesting materials. I would be glad to hand them on to Bob if you would like me to do so.

Regarding "Josh's mother," when you made mention of her, I assumed you were talking about the mother of our executive director, Josh Silver. She was also present. Now that I understand which Josh's mom you were referring to, I am glad to let you know that I did have a chance to talk with Josh Wolf's mom. She was very impressive. We discussed a number of initiatives and some folks who may be able to help her out. Sorry about the confusion there; it must have seemed very strange when I said it was "Josh's choice."

Hope this helps.

My best, JN

-----Original Message-----

From: Ctr for Judicial Accountability [<mailto:judgewatchers@aol.com>]

Sent: Sat 1/20/2007 1:07 PM

To: John Nichols

Cc:

Subject: Follow-up Questions: National Conference for Media Reform -- Memphis

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