

Subject: Empirical Test: The "Gatekeepers" -- Alive & Well, Protecting The New York Times

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Organization: Center for Judicial Accountability, Inc.

TO: **AMERICAN JOURNALISM REVIEW**

ATT: Dean Thomas Kunkel, President
Rem Rieder, Editor & Senior Vice President
Rachel Smolkin, Managing Editor

IF the "gatekeepers" are gone, why has there been NO report of this first ever public interest lawsuit against The New York Times for journalistic fraud?

This is an election year and the lawsuit chronicles The Times' election-rigging for Senator Hillary Rodham Clinton & NY Attorney General Eliot Spitzer, engineering their anticipated landslide victories in November.

Attached is the Center for Judicial Accountability's third press release about the lawsuit -- as well as the two that preceded it -- also posted on our website, www.judgewatch.org, accessible via the sidebar panel "Suing The New York Times".

Are the "gatekeepers" gone? Let this be an empirical test:

TESTING,
TESTING,
ONE

 press-release-3.pdf (102KB)

TWO
THREE:

 press-release-1.pdf (101KB)

 press-release-2.pdf (86KB)

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P R E S S R E L E A S E #3: August 22, 2006 onward

COURT DECISION IN PUBLIC INTEREST LAWSUIT vs THE NEW YORK TIMES CONFIRMS THE TIMES' SELF-INTEREST IN JUDICIAL CORRUPTION

Although The New York Times editorializes about the importance of the rule of law and our courts and advocates for judicial pay raises, it has long refused to report on *readily-verifiable* casefile proof that the courts "throw" politically-explosive cases involving judicial integrity issues by fraudulent judicial decisions which violate the most basic adjudicative standards. This includes decisions – at all levels of the judiciary, state and federal – which brazenly falsify the factual record and cite law either inapplicable or itself falsified.

The Times' knowingly false and misleading reporting and editorializing, covering up systemic judicial corruption and protecting complicit public officers – such as Senator Hillary Rodham Clinton and New York Attorney General Eliot Spitzer, for whom it is election-rigging – is the basis for a first-of-its-kind public interest lawsuit against it for libel and journalistic fraud, brought by the Center for Judicial Accountability, Inc. (CJA) and its director, Elena Ruth Sassower. Obvious from the casefile – posted on CJA's website, www.judgewidth.org, and accessible via the sidebar panel, "Suing The New York Times" – is that the only way The Times will survive the suit is if it is the beneficiary of the same kind of documentably corrupted judicial process as it has refused to report on.

The Times has already benefited from a first fraudulent judicial decision in the case. This *readily-verifiable* fact is meticulously demonstrated by plaintiffs' motion to vacate the decision for fraud, detailing that it "violates ALL cognizable legal standards and adjudicative principles...is, in every respect, a knowing and deliberate fraud by the Court and 'so totally devoid of evidentiary support as to render [it] unconstitutional under the Due Process Clause' of the United States Constitution". Based thereon, the motion also seeks to disqualify the judge – who, in violation of random-assignment rules, was handpicked for the case by an administrative judge directly interested in its outcome. Simultaneously, plaintiffs have filed a notice of appeal.

The record of the lawsuit also provides insight into why, over the past dozen years spanning four election cycles for New York Attorney General – including the present – The Times has steadfastly refused to report on *readily-verifiable* casefile proof that when the Attorney General has no legitimate defense to lawsuits against state judges and the State Commission on Judicial Conduct, sued for corruption, he files fraudulent dismissal motions – and is rewarded by fraudulent judicial decisions. Apparently, The Times has an identical response to lawsuits to which it has no legitimate defense. As the record resoundingly proves, The Times filed a comparably fraudulent dismissal motion – and was rewarded by a comparably fraudulent judicial decision.

* The Center for Judicial Accountability, Inc. (CJA) is a national, non-partisan, non-profit citizens' organization working to ensure that the processes of judicial selection and discipline are effective and meaningful.