

**Subject: Please Advise: Developing Scholarship Based on Primary Source Materials**

**Date:** 6/15/2006, 6:43 PM

**From:** Elena Ruth Sassower <judgewatchers@aol.com>

**To:** alex\_jones@ksg.harvard.edu

**cc:** thomas\_patterson@harvard.edu, charles.lewis@tfij.org

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

TO: Alex S. Jones, Director/Shorenstein Center on the Press, Politics and Public Policy  
Kennedy School of Government at Harvard University

I have received no response from you to my April 5th e-mail entitled "Primary Source Materials: Press, Politics, & Public Policy" – a hard copy of which I also mailed you, with a copy of the verified complaint in our politically-explosive public interest lawsuit against The New York Times. For your convenience, a copy of that e-mail is attached, with its enclosed first press release about the lawsuit "*First-of-its-Kind Public Interest Lawsuit vs The New York Times in Vindication of the First Amendment*".

When may I expect to hear from you about developing scholarship based on these primary source materials?

Meantime, to update you as to the posture of our groundbreaking lawsuit – as to which there has been NO coverage by any of the slew of recognized "media critics/New York Times watchers" to whom we have turned – attached is our second press release: "*Public Interest Lawsuit vs The New York Times Seeks Judgment against it, including Removal of its Front-Page Motto 'All the New That's Fit to Print' as a False and Misleading Advertising Claim*".

As always, the substantiating primary source materials are posted on CJA's website, www.judgewatch.org – accessible via the sidebar panel, "Suing The New York Times".


Please advise, as soon as possible.

As I will be attending the June 28th - July 1st conference on "Democracy & Independence: Sharing News & Politics in a Connected World" sponsored by the Media Giraffe Project at the University of Massachusetts at Amherst, I would be pleased to swing by Cambridge, either before or after, to meet with you – or Professor Patterson, from whom I also received no response to the April 5th e-mail.

Thank you.

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**P R E S S   R E L E A S E #2: June 9, 2006 onward**

## **PUBLIC INTEREST LAWSUIT vs THE NEW YORK TIMES SEEKS JUDGMENT AGAINST IT, INCLUDING REMOVAL OF ITS FRONT-PAGE MOTTO "ALL THE NEWS THAT'S FIT TO PRINT" AS A FALSE AND MISLEADING ADVERTISING CLAIM**

How does the great and mighty New York Times litigate when sued? Are the standards of "quality" and "excellence" that supposedly mark its journalism manifested in its legal submissions as well?

These questions are answered in motion papers filed by the non-profit, non-partisan citizens' organization, Center for Judicial Accountability, Inc. (CJA), and its director, Elena Ruth Sassower, plaintiffs in the first-ever public interest lawsuit against The Times, suing it for journalistic fraud in connection with its news reporting and editorializing. Their papers – responding to a Times motion to dismiss the lawsuit – demonstrate that The Times' motion, "from beginning to end and in virtually every sentence", "flagrantly falsifies, omits, and distorts the [lawsuit's] allegations and cites law that is either inapplicable by reason thereof or [itself] falsified and distorted".

Based thereon, plaintiffs have requested maximum costs and sanctions against Times attorneys and the named Times defendants they represent – among them, Publisher Arthur Sulzberger, Jr., Executive Editor Bill Keller, Managing Editor Jill Abramson, and Public Editor Byron Calame – as well as disciplinary referrals against Times attorneys and their disqualification. Indeed, plaintiffs' showing is so resounding that they have cross-moved for summary judgment on their three causes of action and, as part thereof, removal of The Times' front-page motto "All the News That's Fit to Print" as a false and misleading advertising claim. All of this is in addition to a default judgment against non-appearing Times defendants, including Daniel Okrent, The Times' first Public Editor.

The papers in this historic lawsuit – seeking money damages of \$906,000,000 – are posted on CJA's website, [www.judgewatch.org](http://www.judgewatch.org) – accessible via the sidebar panel, "Suing The New York Times". This includes the lawsuit's verified complaint, chronicling The Times' pattern and practice of election-rigging for Senator Hillary Rodham Clinton and New York Attorney General Eliot Spitzer creating their anticipated landslide victories this November.

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\* 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.