

Center for Judicial Accountability

From: Dominic Mauro <dominic@reinventalbany.org>
Sent: Wednesday, March 30, 2016 11:28 AM
To: elena@judgewatch.org
Subject: Re: Lawsuit challenge to the constitutionality & lawfulness of NYS' budget "process" -- including 3-men-in-a-room budget deal-making

Hi Elena,

We've reviewed your claim, and we're going to pass. There doesn't seem to be a good likelihood of this succeeding. Accordingly, there's no need for a follow-up call next week. Best of luck in your future endeavors.

Dominic Mauro
Staff Attorney
Reinvent Albany
148 Lafayette St. New York, NY 10013

On Mar 29, 2016, at 10:10 AM, Dominic Mauro <dominic@reinventalbany.org> wrote:

Hi Elena,

John's forwarded your email to me. We're in receipt of your complaint. Constitutional challenges are outside our area of expertise, but we'll have a look and get back to you. Thanks for reaching out.

Dominic Mauro
Staff Attorney
Reinvent Albany
148 Lafayette St. New York, NY 10013

From: "Center for Judicial Accountability" <elena@judgewatch.org>
Date: March 28, 2016 at 6:36:24 PM EDT
To: "Blair Horner" <bhorner@nypirg.org>, "Blair Horner" <Hhorner106@gmail.com>, <lawrence.norden@nyu.edu>, <denora.getachew@nyu.edu>, "Barbara Bartoletti" <bbheck1@yahoo.com>, <lwvny@lwvny.org>, "Susan Lerner" <slerner@commoncause.org>, <pkatze@commoncause.org>, <ddadey@citizensunion.org>, <rfauss@citizensunion.org>, <twerber@citizensunion.org>, <jkaehny@reinventalbany.org>
Subject: Lawsuit challenge to the constitutionality & lawfulness of NYS' budget "process" -- including 3-men-in-a-room budget deal-making

Dear Blair, Larry, Barbara, Susan, Dick, and John,

This follows up my phone calls and voice mail messages, advising that our nonpartisan, nonprofit citizens' organization, Center for Judicial Accountability, Inc. (CJA,) has brought what appears to be the first-ever legal challenge to the constitutionality of "three-men-in-a-room" budget deal-making.

As most of you know, for the past two years, CJA has been litigating a citizen-taxpayer action, on behalf of the People of the State of New York and public interest, challenging the constitutionality and lawfulness of the judiciary and legislative budgets for fiscal years 2014-2015 and 2015-2016 and the Governor's budget bills embracing them. Last Wednesday, March 23, 2016, we brought an order to show cause to expand the citizen-taxpayer action to fiscal year 2016-2017, setting forth the facts and law by a verified second supplemental complaint. Its sixteenth cause of action challenges the constitutionality of "three-men-in-a-room" budget deal-making, *as unwritten and as applied.*