

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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April 28, 2025

TO: Appellate Division, First Department Attorney Grievance Committee (AD1-AGC)
Chair Robert J. Anello, Esq.
Chair Abigail T. Reardon, Esq.

FROM: Elena Ruth Sassower, Director
Center for Judicial Accountability, Inc. (CJA)

RE: (1) Full Committee Reconsideration – Docket #2025.0801 – CJA’s February 27, 2025 conflict-of-interest/corruption complaint against Commission on Legislative, Judicial and Executive Compensation Attorney-Member Victor Kovner, Esq;
(2) Complaint against Chief Attorney Jorge Dopico and other attorney-staff complicit in his fraud and conflicts of interest;
(3) Oversight & Corrective Action by Committee Members, including pursuant to Rule 8.3(a) of New York’s Rules of Professional Conduct.

Pursuant to [§1240.7\(e\)\(3\) of the Rules for Attorney Disciplinary Matters](#), I file this written request for full Committee reconsideration of [CJA’s February 27, 2025 complaint against Commission on Legislative, Judicial and Executive Compensation Attorney-Member Victor Kovner](#),¹ which Chief Attorney Jorge Dopico, who knew himself disqualified by interest, purported, by an [April 1, 2025 letter](#), warranted “no investigation or action”.

Chief Attorney Dopico’s letter is three paragraphs long, excluding the final thank you. His first paragraph of two sentences states:

“We have completed our review of your complaint of the above named attorney. As explained below, we have concluded that no investigation or action is warranted”.
(underlining added).

Concealed by his use of the words “we” and “our” is that the so-called “review” and “conclu[sion]” that “no investigation or action is warranted” was not made by the Committee, as is implied, but by him, pursuant to [§1240.7\(d\)\(1\)](#).²

¹ CJA’s webpage for this February 27, 2025 complaint to AGC-1 is <https://www.judgewatch.org/web-pages/searching-nys/attorney-discipline/feb-27-2025-complaint/ad1-agc.htm>.

² §1240.7(d)(1) entitled “Disposition by the Chief Attorney” reads: “(i) The Chief Attorney may, after initial screening, decline to investigate a complaint for reasons including but not limited to the following: (A) the matter involves a person or conduct not covered by these Rules; (B) the allegations, if true, would not constitute professional misconduct; (C) the complaint seeks a legal remedy more appropriately obtained in

As for “explained below”, this is false. All that follows is a two-sentence second paragraph baldly asserting:

“Specifically, at this time there is an insufficient basis to conclude that Mr. Kovner’s conduct violated the New York Rules of Professional Conduct as alleged in your complaint. We appreciate your bringing this matter to our attention.”

There is nothing “Specifically” about the conclusory assertion of “insufficient basis”. Nor is this the same as “the allegations, if true, would not constitute professional misconduct” – a grounds for a chief attorney “to decline to investigate a complaint” pursuant to [§1240.7\(d\)\(1\)\(i\)\(B\)](#).

In any event, the purported “insufficient basis to conclude that Mr. Kovner’s conduct violates the New York Rules of Professional Conduct” is a brazen LIE, evident from the “Details” section of the [completed complaint form](#), which reads:

“This is a conflict-of-interest/corruption complaint against attorney Victor Kovner (#1155688/First Dept. 1962), as one of seven members of the New York State Commission on Legislative, Judicial and Executive Compensation, for his knowing and deliberate violations of, *inter alia*:

- [Public Officers Law §74](#) ‘Code of Ethics’;
- [Penal Law §175.35](#): ‘Offering a false instrument for filing in the first degree’;
- [Penal Law §195](#): ‘Official misconduct’;
- [Penal Law §105.15](#): ‘Conspiracy in the second degree’;
- [Penal Law §20.00](#): ‘Criminal liability for conduct of another’;
- [Penal Law Article 496: ‘PUBLIC TRUST ACT’](#) –
 - [§496.06](#): ‘Public corruption’;
 - [§496.05](#): ‘Corrupting the government in the first degree’.

These constitute violations of [New York’s Rules of Professional Conduct](#) and, specifically, Rule 8.4 ‘Misconduct’ and Rule 8.3 ‘Reporting Professional Misconduct’ – over which the Appellate Division Attorney Grievance Committees have jurisdiction.

The facts and evidence substantiating this complaint are furnished by CJA’s February 3, 2025 Opposition Report to the Commission on Legislative, Judicial and Executive Compensation’s misnomered November 14, 2024 ‘Final Report on Legislative and Executive Compensation’. The Opposition Report is filled with live hyperlinks to facilitate verification and, therefore, is best reviewed by [pdf, here linked](#).”

another forum; or (D) the allegations are intertwined with another pending legal action or proceeding. The complainant shall be provided with a brief description of the basis of any disposition of a complaint by the Chief Attorney.”

Evident from the [February 3, 2025 Opposition Report](#) is that the February 27, 2025 complaint is not only “sufficient”, it is DISPOSITIVE – and there is NO defense to it. This is the real reason Chief Attorney Dopico declined to investigate it, as otherwise, the first investigative step, pursuant to §1240.7(b)(2),³ would have been to “direct [Mr. Kovner] to provide a written response to the complaint”. This, however, would have left Mr. Kovner with only one viable option: concede the truth of the Opposition Report and accept disbarment.

[Penal Law §175.35](#), “Offering a false instrument for filing in the first degree”, is a recognized ground for disbarment. This is clear from the Appellate Division, First Department’s decision in [Matter of Ahern, 205 AD3d 196](#), summarized by [the Committee’s 2022 Annual Report \(at pp. 31, 37-38\)](#). It is equally clear from other decisions to which *Matter of Ahern* cites including the Appellate Division, First Department’s decision in [Matter of Cohen, 170 AD3d 30](#) (2019), itself citing, in addition to the Court of Appeals 1977 decision in [Matter of Chu, 42 NY2d 490](#), six other Appellate Division, First Department decisions granting this Committee’s applications for disbarment based on Penal Law §175.35:

- [Matter of Verzani, 131 AD3d 49](#) (2015);
- [Matter of Hidetoshi Cho, 77 AD3d 155](#) (2010);
- [Matter of Silverblatt, 113 AD2d 1](#) (1985);
- [Matter of Stewart, 42 AD3d 59](#) (2007);
- [Matter of Ramirez, 7 AD3d 52](#) (2004);
- [Matter of Fier, 276 AD2d 17](#) (2000).

These decisions, in turn, cite to more Appellate Division, First Department decisions granting this Committee’s applications to disbar attorneys based on federal convictions analogous to Penal Law §175.35. These decisions and the additional decisions to which they cite also make clear that such other penal law felonies as “scheme to defraud in the first degree” ([Penal Law §190.65](#)) and “grand larceny in the first degree” ([Penal Law §155.42](#)), encompassed by [the complaint form’s “inter alia”](#), are grounds for disbarment – and were the disbarment grounds in the Appellate Division, First Department’s decision in [Matter of Kossoff, 204 AD3d 167](#) (2022) also summarized by the [Committee’s 2022 Annual Report \(at p. 48\)](#).

I have no objection to the Committee referring the February 3, 2025 Opposition Report to State Attorney General Letitia James, New York County District Attorney Alvin Bragg, or Albany County District Attorney Lee Kindlon for purposes of securing the criminal convictions or guilty pleas for the automatic disbarment the Opposition Report mandates. Presumably, the Committee’s procedure is to make such criminal referrals AFTER receipt of Mr. Kovner’s “written response” to the [Opposition Report](#), which, as its particulars make manifest, he will not be able to contest.

³ §1240.7(b)(2) authorizes the Chief Attorney to “direct the respondent to provide a written response to the complaint, and to appear and produce records before the Chief Attorney or a staff attorney for a formal interview or examination under oath”.

As for Chief Attorney Dopico's third, completely boilerplate final paragraph:

"You may seek review of this decision by submitting a written request for reconsideration to this office addressed to 'Committee Chair' at the above email address within thirty (30) days of the date of this letter. Please write in the subject line of your email 'Reconsideration Request' and include the docket number. One of the Committee Chairs will grant or deny your request; or, refer your request to one of the Committees, or a subcommittee thereof, for whatever action it deems appropriate. We will accept regular mail if you do not have a personal account, but there may be a delay in processing your matter."

this is fraud by its inference that this Committee has a legitimate, functioning reconsideration procedure – when, in fact, it is so utterly sham and corrupted that Chief Attorney Dopico, not a "Committee Chair", unashamedly signs the boilerplate form letter that denies it.

My prior reconsideration requests to the Committee, spanning years, are proof. The most recent of these is my [March 6, 2024 request for full Committee reconsideration](#) of [Chief Attorney Dopico's February 7, 2024 letter](#) that "no investigation or action [was] warranted" of [CJA's January 29, 2024 complaint against Mr. Kovner](#) because "Specifically", there was "an insufficient basis to conclude that Mr. Kovner's conduct violated the New York Rules of Professional Conduct" – the "insufficient basis" being [CJA's January 18, 2024 Opposition Report](#).⁴

That reconsideration request is additionally noteworthy because it recited (at pp. 5-6), with substantiating EVIDENTIARY links, my FIVE prior reconsideration requests – the last two of which were my [March 6, 2023 request for full Committee reconsideration](#) and [February 1, 2023 request for full Committee reconsideration](#), to which there had been NO response to either.

Here's the UPDATE as to these three reconsideration requests:

- [Chief Attorney Dopico signed an April 3, 2024 letter](#) denying my [March 6, 2024 reconsideration request for CJA's January 29, 2024 complaint against Mr. Kovner](#);
- [Chief Attorney Dopico signed a December 5, 2024 letter](#) denying my [March 6, 2023 reconsideration request for CJA's October 10, 2022 complaint against AG James](#); and
- [Chief Attorney Dopico signed a December 5, 2024 letter](#) denying my [February 1, 2023 reconsideration request for CJA's August 15, 2022 complaint against you, etc.](#)⁵

⁴ Chief Attorney Dopico's two letters dismissing complaints against Mr. Kovner are identical except that the [April 1, 2025 letter](#) adds the three words "at this time" after the word "Specifically".

⁵ Preceding Chief Attorney Dopico's two December 5, 2024 letters was my [October 7, 2024 e-mail](#) to you and Committee members, to which Deputy Chief Attorney Angela Christmas responded by a fraudulent [October 9, 2024 letter](#). I alerted you and the Committee members to this by an [October 30, 2024 e-mail](#)

I incorporate by reference my [March 6, 2024 reconsideration request pertaining to CJA's January 29, 2024 complaint against Mr. Kovner](#) in support of the relief here requested – including, as there, a complaint against Chief Attorney Dopico and complicit attorney-staff and for oversight and corrective action by the Committee members.

As ALL Committee members are responsible for the frauds perpetrated in its name, I request that this letter be promptly forwarded to ALL members so that they can discharge their duties, including pursuant to [Rule 8.3\(a\) of New York's Rules of Professional Conduct](#),⁶ which you and they are charged with enforcing.

I am available to answer questions under oath. Meantime, please deem the foregoing as sworn by me as true under penalties of perjury.

By copy of this letter to [UCS Inspector General Kay-Ann Porter Campbell](#), whose office has jurisdiction over the Appellate Division Attorney Grievance Committees, I call on her to take belated investigative and corrective action, as is her duty.

Thank you.

s/Elena Ruth Sassower

cc: UCS Inspector General Kay-Ann Porter Campbell

entitled: "Corruption at AD1-AGC – CJA's Still-Pending March 6, 2023 & Feb 1, 2023 requests for Full Committee Reconsideration of Oct 10, 2022 & Aug 15, 2022 Complaints – & CJA's Jan 29, 2024 Complaint vs Attorney Victor Kovner".

⁶ Rule 8.3, entitled "Reporting Professional Misconduct", states, in mandatory terms, by its paragraph (a):

"A lawyer who knows that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness or fitness as a lawyer shall report such knowledge to a tribunal or other authority empowered to investigate or act upon such violation." (underlining added).