

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewidth.org>
Sent: Thursday, December 29, 2022 10:52 AM

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Subject: **When will "Watchdog Groups" be confronting the CJA v. JCOPE, et al. lawsuit – & such other EVIDENCE dispositive that "CELG Must Go"**

Attachments: [6-12-22-ltr-to-independent-review-committee.pdf](#)

TO: **Former "JCOPE Must Go" Coalition Members – NOW renamed "Watchdog Groups"**
Committee to Reform the State Constitution
(a.k.a. Evan Davis/former NYC Bar Association President)
New York City Bar Association
NYPIRG
Reinvent Albany
NYS League of Women Voters
Common Cause-NYS
Citizens Union
Sexual Harassment Working Group

As the New York City Bar Association is among the "Watchdog Groups" identified by [your November 21st public statement](#) "Watchdog Groups Ask Governor Hochul and AG James to Announce their Final Nominees to New Ethics Commission" – and the statement is identically posted on [the City Bar's website](#) – below is my just-sent e-mail to the City Bar's leadership pertaining to the [CJA v. JCOPE, et al. lawsuit](#), about which you and it have been identically MIA.

Apparent from your November 21st public statement is that the City Bar and its fellow "Watchdog Groups" believe – or want the public to believe – that "The Independent Review Committee, composed of the State's law school deans", has been properly vetting nominees, building on the inference of your [September 8th public statement](#). What EVIDENCE do you have to support this?

[On November 23rd, Governor Hochul belatedly announced her third "nominee"](#) – doubtless celebrated by you as responsive to your November 21st public statement. The vetting of that nominee is the subject of [my December 27th e-mail](#) to the Independent Review Committee and hyperlinks to [my August 4th letter](#) to the Committee entitled "Violation of Vetting Rules & Investigative Protocols by Selection Members & the

Independent Review Committee – Born of Conflicts of Interest”, whose subject was the ten proposed nominees that selection members had by then announced.

Would you agree that this EVIDENCE-laden December 27th e-mail is dispositive that the Independent Review Committee and the selection members have been perpetrating fraud? Or is more EVIDENCE necessary and, if so, will you endorse the e-mail’s FOIL request for records pertaining to the nine nominees the Independent Review Committee has thus far approved?

By the way, it appears that on December 20th – the same day as the [Independent Review Committee publicly announced its approval of the eighth and ninth nominees](#) – Reinvent Albany **updated** its peculiar webpage entitled “*You Can Comment on Nominees to NYS Commission on Ethics and Lobbying in Government*”, whose [original September 26th date](#) was more than three weeks **after** the Independent Review Committee had announced its determinations on the first ten nominees.

Please advise as to the foregoing – and as to the basis for your excluding CJA from your “Watchdog Groups” coalition.

Thank you.

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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

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Subject: Does the NYC Bar Association dispute that the record of CJA v. JCOPE, et al. is a perfect "paper trail" of public corruption, obliterating constitutional state governance -- &, if not, what actions will it take, consistent with its responsibilities?

TO: [The Officers Comprising the Leadership & Governance of the New York City Bar Association](#)

This follows my repeated requests for your intervention, *amicus curiae* support, scholarship, and other assistance in CJA's public interest lawsuit to VOID the "ethics commission reform act of 2022" – "a regressive statute enacted, unconstitutionally, *via* the state budget, to 'protect' complained-against public officers from accountability by stripping complainants and the public of rights enforceable by mandamus". For your convenience, below linked are my four e-mails to you – all unresponded-to – three attaching my above June 12th e-mail to the "independent review committee" of the deans of New York's 15 ABA-accredited law schools established by the "ethics commission reform act of 2022":

- [my June 14th e-mail to you](#) entitled "EMERGENCY ACTION REQUIRED: Request to NYC Bar Association Officers & Board of Directors: Lawsuit to VOID the 'ethics commission reform act of 2022' and for TRO -- CJA, et al. v. JCOPE, et al. (Albany Co. #904235-22)"
- [my June 16th e-mail to you](#) entitled "NOTICE OF CANCELLATION of tomorrow's oral argument on TRO, hopefully to be rescheduled to Wed. June 22nd -- CJA, et al v. JCOPE, et al (Albany Co. #904235-22)";
- [my June 3rd e-mail to you](#) entitled "TIME IS OF THE ESSENCE -- TRO/Preliminary Injunction: 'ethics commission reform act of 2022' -- CJA, et al. v. JCOPE, et al. (Albany Co. #904235-22)"; and
- [my September 25th e-mail to you](#) entitled "WANTED: your scholarship, expertise, & independent expert opinion as to the state of the record in CJA v. JCOPE, et al -- starting with the 6th cause of action to VOID the 'ethics commission reform act of 2022'".

The purpose of this e-mail is to alert to what has occurred since my September 25th e-mail advised you of "the happy news that [CJA has made a motion for summary judgment](#) on all ten causes of action of the [June 6, 2022 verified petition/complaint](#)", furnishing you with the [NYSCEF link](#) from which you could determine, readily, not only CJA's entitlement to summary judgment on each cause of action, but to sanctions and other appropriate action against Attorney General James, a respondent representing her fellow respondents, who, having no legitimate defense, corrupted the judicial process with litigation fraud.

On November 23rd – to avoid the adjudications mandated by [the record](#) – Ulster County Supreme Court Justice Gandin "threw" the case by a fraudulent "Decision, Order and Judgment" ([#111](#)) that obliterated ALL standards. CJA responded on December 16th by a reargument/vacatur motion ([#119](#), [#120](#)) and by a notice of appeal ([#122](#)), each resting on my "legal autopsy"/analysis of the "Decision, Order and Judgment" ([#121](#)), demonstrating it to be "so totally devoid of evidentiary support as to render [it] unconstitutional under the Due Process Clause" of the United States Constitution and New York State Constitution, and [] a criminal act, violating a succession of provisions of New York's Penal Law".

Just as my four prior e-mails to you sought your discharge of professional, ethical, and civic responsibilities with respect to the monumental *CJA v. JCOPE, et al.* lawsuit, this e-mail does the same. The assistant attorney general in charge of the case requested my consent to a two-week adjournment of the return date – to which [I e-mailed back](#) that I had "no objection, so long as [he] furnish[es] the reargument/vacatur motion to [his] superiors – starting at the top with respondent Attorney General James – so that appropriate, if way belated, steps are taken consistent with professional and ethical responsibilities". He thereafter filed a December 23rd letter to Justice Gandin for an agreed-to adjournment of the motion to January 20, 2023 ([#124](#)), which I anticipate will be granted.

Consequently, you have ample time to examine the December 16th reargument/vacatur motion so as to furnish Justice Gandin with an *amicus curiae* brief or other presentation as to what must happen, going forward – and to take other appropriate actions.

As I do not have e-mail addresses for everyone, I ask, as I have previously, that President Kohlmann and Vice Presidents Levy and Sherwin ensure that this e-mail is forwarded to all, including, if they deem appropriate, Vice President Lippman, to whom I am not myself sending this e-mail, as his disqualification for interest is exponentially greater than that of other recipients, also profoundly interested and disqualified.

I am available to answer questions and would welcome the opportunity to do so, as to this e-mail – and as to a forthcoming companion e-mail addressed to “Watchdog Groups”, of which the City Bar has included itself.

Thank you.

Elena Sassower, Director
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