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**CENTER for JUDICIAL ACCOUNTABILITY, INC.**

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TO: NEW YORK STATE ATTORNEY GENERAL  
NEW YORK DISTRICT ATTORNEY  
U.S. ATTORNEY/SOUTHERN DISTRICT OF NEW YORK  
NEW YORK STATE ETHICS COMMISSION

FROM: Elena Ruth Sassower, Coordinator

RE: Your Duty to Ensure Independent Investigation: *Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc., acting pro bono publico v. Commission on Judicial Conduct of the State of New York* (NY Co. #99-108551)

DATE: MARCH 17, 2000

Enclosed are copies of CJA's further correspondence in the above-entitled Article 78 proceeding – to which you are each indicated recipients:

- (1) CJA's March 3, 2000 letter to Chief Judge Judith Kaye<sup>1</sup>, transmitting to her a copy of the file in *Elena Ruth Sassower v. Commission*, including its physically-incorporated copies of the files of *Doris L. Sassower v. Commission* (NY Co. #95-109141) and *Michael Mantell v. Commission* (NY Co. #99-108655) and requesting (at p. 2), *inter alia*, that she appoint a Special Inspector General to investigate the corruption of the New York State Commission on Judicial Conduct and the subversion of the judicial process by the State Attorney General and judges of Supreme Court/New York County in these three Article 78 proceedings, of which the Commission is the *direct* beneficiary;
- (2) CJA's March 3, 2000 letter to the Commission on Judicial Conduct, constituting a judicial misconduct complaint against Acting Supreme Court Justice William Wetzel and Administrative Judge Stephen Crane for official misconduct in *Elena Ruth Sassower v. Commission*, of which the Commission is the *direct* beneficiary, AND calling upon it (at pp. 3-4), by reason of its conflict of interest, to take steps to ensure that the complaint is *independently* determined;

<sup>1</sup> See fn. 58 (at p. 32) of CJA's February 23, 2000 letter to Governor Pataki.

EX "9-3"

March 17, 2000

- (3) CJA's letter of this date to the Thomas Wornam, Deputy Chief of the Special Prosecutions Bureau of the Manhattan District Attorney, regarding his wilful disregard of conflict of interest rules in connection with CJA's October 21, 1999 criminal complaint<sup>2</sup>;
- (4) CJA's letter of this date to Andrew Dember, Chief of the Public Corruption Unit of the U.S. Attorney for the Southern District of New York, regarding his wilful disregard of conflict of interest rules in connection with CJA's October 21, 1999 criminal complaint<sup>3</sup>;
- (5) CJA's letter of this date to Andrew Weissmann, Deputy Chief of the Criminal Division of the U.S. Attorney for the Eastern District of New York, regarding his inaction on CJA's September 7, 1999 criminal complaint<sup>4</sup> and disregard of conflict of interest rules.

In the absence of your response to CJA's fact-specific showing that each of you suffers from disqualifying conflicts of interest – record reference for which was provided by CJA's February 25, 2000 memorandum to you – **demand is made that you meet your duty to ensure governmental integrity by:**

- (a) referring for investigation CJA's *uninvestigated* criminal and ethics complaints to the Public Integrity Section of the U.S. Justice Department's Criminal Division, as CJA long ago requested you to do; and/or**

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<sup>2</sup> CJA's October 21, 1999 criminal complaint to the Manhattan District Attorney is annexed as Exhibit "G" to petitioner Elena Ruth Sassower's November 5, 1999 letter to Justice Kapnick.

<sup>3</sup> CJA's October 21, 1999 criminal complaint to the U.S. Attorney for the Southern District of New York is annexed as Exhibit "H" to petitioner Elena Ruth Sassower's November 5, 1999 letter to Justice Kapnick.

<sup>4</sup> CJA's September 7, 1999 criminal complaint to the U.S. Attorney for the Eastern District of New York is annexed as Exhibit "H" to petitioner Elena Ruth Sassower's September 24, 1999 reply affidavit in support of her omnibus motion. Free-standing copies of the September 7, 1999 complaint were mailed, certified/return receipt, to Attorney General Spitzer [Z-509-073-640], and the NYS Ethics Commission [Z-509-073-638], in addition to Governor Pataki [Z-509-073-639].

March 17, 2000

**(b) joining in CJA's requests to Chief Judge Kaye for appointment of a Special Inspector General and to Governor Pataki for appointment of a Special Prosecutor or investigative commission<sup>5</sup>.**

Please advise forthwith.

Yours for a quality judiciary  
and governmental integrity,



ELENA RUTH SASSOWER, Coordinator  
Center for Judicial Accountability, Inc. (CJA)

cc: **Governor George Pataki  
Chief Judge Judith Kaye  
New York State Commission on Judicial Conduct  
U.S. Attorney for the Eastern District of New York  
Association of the Bar of the City of New York  
Media**

Enclosures

<sup>5</sup>

See pp. 33-35 of CJA's February 23, 2000 letter to Governor Pataki.

Z 294 568 951

US Postal Service  
Receipt for Certified Mail

No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to *ONE Hon. George Pataki  
Att. James McGuire*

Street & Number  
*The Capitol*

Post Office, State, & ZIP Code  
*Albany NY 12224*

Postage \$ *3.20*

Certified Fee *.40*

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing to Whom & Date Delivered *1.25*

Return Receipt Showing to Whom, Date, & Addressee's Address

TOTAL Postage & Fees \$ *5.85*

Postmark or Date

**RETURN RECEIPT REQUESTED**

*ALBANY NY 23 MAR 2000*

PS Form 3800, April 1995

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**SENDER:**

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- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address

2.  Restricted Delivery

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3. Article Addressed to:  
*Governor George Pataki  
Att. James McGuire  
The Capitol  
Albany, NY 12224*

4a. Article Number  
*Z 294 568 951*

4b. Service Type

Registered  Certified

Express Mail  Insured

Return Receipt for Merchandise  COD

7. Date of Delivery  
*3/27/00*

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)  
*X [Signature]*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

Z 294 568 952

US Postal Service  
Receipt for Certified Mail

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Do not use for International Mail (See reverse)

Sent to *Chief Judge Judith Kaye*

Street & Number  
*230 Park Ave Suite 826*

Post Office, State, & ZIP Code  
*NY NY 10169-0007*

Postage \$ *3.20*

Certified Fee *.40*

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing to Whom & Date Delivered *1.25*

Return Receipt Showing to Whom, Date, & Addressee's Address

TOTAL Postage & Fees \$ *5.85*

Postmark or Date

**RETURN RECEIPT REQUESTED**

*ALBANY NY 23 MAR 2000*

PS Form 3800, April 1995

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- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address

2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
*Chief Judge Judith Kaye  
230 Park Avenue  
Suite 826  
NY, NY 10169-0007*

4a. Article Number  
*Z 294 568 952*

4b. Service Type

Registered  Certified

Express Mail  Insured

Return Receipt for Merchandise  COD

7. Date of Delivery  
*3/24/00*

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)  
*X [Signature]*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

Z 294 568 949

US Postal Service  
**Receipt for Certified Mail**  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to NYS Ethics Commission  
 Street & Number 39 Columbia Street  
 Post Office, State, & ZIP Code Albany, NY 12207-2717  
 Postage \$ 3.20  
 Certified Fee \$ 1.40  
 Special Delivery Fee  
 Restricted Delivery Fee  
 Return Receipt Showing to Whom & Date Delivered 1.25  
 Return Receipt Showing to Whom, Date, & Addressee's Address  
 TOTAL Postage & Fees \$ 5.85  
 Postmark or Date

**RETURN RECEIPT REQUESTED**

PS Form 3811 April 1995

ATT: Walter Agre

**SENDER:**  
 Complete items 1 and/or 2 for additional services.  
 Complete items 3, 4a, and 4b.  
 Print your name and address on the reverse of this form so that we can return this card to you.  
 Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 Write "Return Receipt Requested" on the mailpiece below the article number.  
 The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
NYS Ethics Commission  
39 Columbia Street  
Albany, NY  
12207-2717  
ATT: Walter Agre

4a. Article Number 2-294-568-949  
 4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

5. Received By: (Print Name)  
ATT: Walter Agre

6. Signature: (Addressee or Agent)  
X New Hamilton

7. Date of Delivery 3-27-00  
 8. Addressee's Address (Only if requested and fee is paid)

Is your RETURN ADDRESS completed on the reverse side?

PS Form 3811, December 1994

Thank you for using Return Receipt Certified

Z 509 073 744

US Postal Service  
**Receipt for Certified Mail**  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to Andreas Weissman  
 Street & Number 105 Avenue C  
 Post Office, State, & ZIP Code Brooklyn NY 11201  
 Postage \$ 6.90  
 Certified Fee 2.65  
 Special Delivery Fee  
 Restricted Delivery Fee  
 Return Receipt Showing to Whom & Date Delivered  
 Return Receipt Showing to Whom, Date, & Addressee's Address  
 TOTAL Postage & Fees \$ 9.55  
 Postmark or Date

PS Form 3811 April 1995

PS Form 3811 April 1995

102595-98-B-0229 Domestic Return Receipt