

CENTER for JUDICIAL ACCOUNTABILITY, INC.

P.O. Box 69, Gedney Station
White Plains, New York 10605-0069

Tel. (914) 421-1200
Fax (914) 428-4994

E-Mail: judgewatch@aol.com
Web site: www.judgewatch.org

Elena Ruth Sassower, Coordinator

BY FAX: 212-416-8139 (5 pages)

July 11, 2002

Attorney General Eliot Spitzer
120 Broadway
New York, New York 10271

RE: Discharging your Mandatory Supervisory Responsibilities Pursuant to 22 NYCRR §130-1.1 and 22 NYCRR §§1200.5 [DR 1-104 of New York's Disciplinary Rules of the Code of Professional Responsibility] June 17, 2002 motion in the Court of Appeals (#719/02) in the public interest lawsuit *Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc., acting pro bono publico, against Commission on Judicial Conduct of the State of New York* (S.Ct/NY Co. #108551/99; A.D. 1st Dept #5638/01)

Dear Mr. Spitzer:

Please advise as to YOUR response to my July 3, 2002 letter to you, which had requested your response by 5:00 p.m., Friday, July 5th.

Enclosed, FYI, is Assistant Solicitor General Carol Fischer's exchange of correspondence with me on the subject:

- (1) Ms. Fischer's July 3rd letter to me, stating she did not believe you would be responding "without consultation with the attorneys most familiar with the case" – all of whom would be "out of the office" on July 5th in continued celebration of the Fourth of July holiday;
- (2) my July 3, 2002 letter to Ms. Fischer, requesting a response by 5:00 p.m., Monday, July 8th; and

Sx "B-1"

July 11, 2002

(3) Ms. Fischer's July 8, 2002 letter to me, advising that Deputy Solicitor General Belohlavek would be returning to the office on Tuesday, July 9th and that I should "therefore expect a reply to [my] July 3, 2002 facsimile letter on that day".

I have since received no further communications.

Inasmuch as your failure to withdraw Ms. Fischer's non-probative, knowingly false, deceitful, and frivolous "affirmation" in opposition to my June 17, 2002 motion will necessitate my filing a reply requesting additional maximum monetary costs and sanctions against you *personally*, over and beyond those which my motion requests against you *personally*, YOUR response should be signed by YOU, *not an underling*.

In view of the profoundly serious misconduct documented by my motion – and the transcending importance of the public interest lawsuit in which the motion arises – the **ONLY** appropriate response would be one **SIGNED BY YOU**. Such response, if it does not immediately withdraw Ms. Fischer's opposing "affirmation", as well as her knowingly false and deceitful May 17, 2002 memorandum of law and May 28, 2002 letter to the Court – the subject of my motion -- should accept my long-standing offer for a meeting at which I can review with you the appalling "state of the record" so that you may discharge your fundamental professional and ethical responsibilities to the Court, to me and to the People of this State.

Yours for a quality judiciary,



ELENA RUTH SASSOWER
Petitioner-Appellant *Pro Se*

Enclosures

cc: Office of the Solicitor General: [By Fax: 212-416-6350]
ATT: Solicitor General Caitlin J. Halligan
Deputy Solicitor General Michael S. Belohlavek
Assistant Solicitor General Carol Fischer
New York State Commission on Judicial Conduct [By Fax: 212-949-8864]
ATT: Gerald Stern, Administrator & Counsel
Chairman Henry T. Berger & Commission members



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ELIOT SPITZER
Attorney General

CAITLIN J. HALLIGAN
Solicitor General

(212) 416-8014

July 3, 2002

Via Facsimile

Ms. Elena Ruth Sassower
P.O. Box 69, Gedney Station
White Plains, New York 10605-0069

Re: *Elena Ruth Sassower v. New York State Commission on Judicial Conduct,*
New York Co. Clerk's No. 99/108551

Dear Ms. Sassower:

I have received a copy of your facsimile today. You should not expect any response on Friday, July 5, 2002. Solicitor General Halligan, Deputy Solicitor General Belohlavek, and I will all be out of the office on that day, due to the July 4th holiday. I do not know the Attorney General's schedule, but I think it unlikely that any kind of response to your facsimile would be prepared without consultation with the attorneys most familiar with the case.

Very truly yours,

A handwritten signature in cursive script that reads "Carol Fischer".

Carol Fischer
Assistant Solicitor General

CENTER for JUDICIAL ACCOUNTABILITY, INC.

P.O. Box 69, Gedney Station
White Plains, New York 10605-0069

Tel. (914) 421-1200
Fax (914) 428-4994

E-Mail: judgewatch@aol.com
Web site: www.judgewatch.org

BY FAX: 212-416-8962 (1 page)

July 3, 2002

Assistant Solicitor General Carol Fischer
Office of New York State Attorney General Eliot Spitzer
120 Broadway
New York, New York 10271

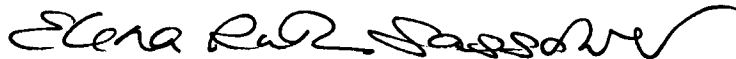
RE: Mandatory Supervisory Responsibilities: June 17, 2002 motion in the Court of Appeals (#719/02): Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc., acting pro bono publico, against Commission on Judicial Conduct of the State of New York (N.Y. Co: #108551/99; A.D. 1st Dept: #5638/01)

Dear Ms. Fischer:

Thank you for your fax advising that supervisory personnel at the Attorney General's office will be enjoying the Fourth of July holiday. Perhaps after they celebrate the purpose of government, enshrined by our nation's great declaration, they will be better able to recognize their mandatory supervisory responsibilities to uphold fundamental ethical and professional standards of conduct.

I therefore request the Attorney General's response to my July 3rd letter by 5:00 p.m., Monday, July 8th.

Yours for a quality judiciary,



ELENA RUTH SASSOWER
Petitioner-Appellant *Pro Se*

Enclosure

cc: Attorney General Eliot Spitzer 212-416-8139
NYS Commission on Judicial Conduct 212-949-8864



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ELIOT SPITZER
Attorney General

CAITLIN J. HALLIGAN
Solicitor General

(212) 416-8014

July 8, 2002

Via Facsimile

Ms. Elena Ruth Sassower
P.O. Box 69, Gedney Station
White Plains, New York 10605-0069

Re: *Elena Ruth Sassower v. New York State Commission on Judicial Conduct,*
New York Co. Clerk's No. 99/108551

Dear Ms. Sassower:

Deputy Solicitor General Michael Belohlavek, will return to the office tomorrow, July 9, 2002. You should therefore expect a reply to your July 3, 2002 facsimile letter on that day.

Very truly yours,

A handwritten signature in black ink that reads 'Carol Fischer'. The signature is written in a cursive style with a large initial 'C'.

Carol Fischer
Assistant Solicitor General

Attorney General Pitzer

TRANSMISSION VERIFICATION REPORT

TIME : 07/11/2002 09:49
NAME : CJA
FAX : 9144284994
TEL : 9144211200

DATE, TIME	07/11 09:47
FAX NO./NAME	12124168139
DURATION	00:02:19
PAGE(S)	04
RESULT	OK
MODE	STANDARD
	ECM