

Center for Judicial Accountability

From: Center for Judicial Accountability <elena@judgewatch.org>
Sent: Friday, December 11, 2015 9:52 AM
To: nyscompensation@gmail.com; sheilabirnbaum@quinnemanuel.com;
barry.cozier@leclairryan.com; gajohnson@mec.cuny.edu
Subject: THANK YOU & CORRECTION -- Completing the Commission's Posting of CJA's Submissions

I thank you – and greatly appreciate -- your prompt posting of the pdfs of the documentary evidence that I furnished to you yesterday, December 10th.

However, because the paper copies of this documentary evidence was handed up at the Commission's November 30, 2015 hearing, in support of my testimony on that date, the hyperlink & webpage name should be changed from "December 10th Submission" to "November 30th Submission" – with what you currently have as my November 30th submission (*to wit*, my written testimony) moved to the linked webpage.

The inventory of the documents on this "November 30th Submission" webpage should be as follows:

CJA's November 30, 2015 written testimony, with attached exhibits

CJA's Executive Summary to October 27, 2011 Opposition Report;

CJA's October 27, 2011 Opposition Report

**Litigation #1 - declaratory judgment action: *CJA v. Cuomo I*:
March 30, 2012 verified complaint**

**Litigation #2 -- citizen taxpayer action: *CJA v. Cuomo II*:
March 28, 2014 verified complaint
March 31, 2015 supplemental verified complaint
November 5, 2015 reply affidavit in support of x-motion for summary judgment, etc.
November 5, 2015 reply memo of law in support of x-motion for summary judgment, etc.**

**Litigation #3 -- declaratory judgment action - intervention: *Senate v. Rice* (Commission to Investigate Public Corruption)
April 23, 2014 proposed verified complaint**

Also, as I believe it is confusing to include the additional documentary materials relating to JCOPE that I handed up (& intended to include) for Commissioner Hormozi – but were not part of my testimonial presentation -- kindly remove them altogether. They will be resubmitted when I testify in opposition to executive and legislative salary increases.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
914-421-1200

From: Center for Judicial Accountability [<mailto:elena@judgewatch.org>]

Sent: Thursday, December 10, 2015 3:08 PM

To: nyscompensation@gmail.com; sheilabirnbaum@quinnemanuel.com; barry.cozier@leclairryan.com; gajohnson@mec.cuny.edu

Subject: VII: Completing the Commission's Posting of CJA's Submissions

This completes the transmittal – in seven e-mails.

From: Center for Judicial Accountability [<mailto:elena@judgewatch.org>]

Sent: Thursday, December 10, 2015 2:21 PM

To: nyscompensation@gmail.com; sheilabirnbaum@quinnemanuel.com; barry.cozier@leclairryan.com; gajohnson@mec.cuny.edu

Subject: Completing the Commission's Posting of CJA's Submissions

In testifying before the Commission at its November 30, 2015 public hearing, I identified the documentary proof I had furnished – and was then furnishing – to the Commission in substantiation of my testimony.

In addition to my written testimony, with its annexed exhibits, the voluminous materials I handed up to the Commission at the conclusion of the November 30th hearing were the following:

- (1) CJA's March 30, 2012 verified complaint, with annexed exhibits, in the declaratory judgment action *CJA v. Cuomo*;
- (2) CJA's March 28, 2014 verified complaint, with annexed exhibits, in the citizen-taxpayer action *CJA v. Cuomo II*;
- (3) CJA's April 23, 2014 proposed verified complaint, with annexed exhibits, intervening in the Legislature's declaratory judgment action against the Commission to Investigate Public Corruption, *Senate v. Rice*;
- (4) CJA's March 31, 2015 supplemental verified complaint, with annexed exhibits, in the *CJA v. Cuomo II* citizen-taxpayer action;
- (5) a full copy of my November 5, 2015 reply affidavit & reply memorandum of law in the *CJA v. Cuomo II* citizen-taxpayer action.

Also, because Commissioner Hormozi had chaired the Commission on Public Integrity before it was replaced by the Joint Commission on Public Ethics (JCOPE) and had been a panelist, in the very same room, at a December 8, 2011 City Bar Program entitled "Albany Reform: The Road Ahead", largely centered on JCOPE – I furnished her with a redweld containing:

- (1) CJA's still-pending, never-dismissed June 27, 2013 and December 11, 2014 ethics complaints to JCOPE, based on the October 27, 2011 Opposition Report – and JCOPE's June 28, 2013 and December 16, 2014 acknowledgment letters; and
- (2) a full copy of CJA's October 27, 2011 Opposition Report and Executive Summary – IDENTICAL to the full copy I had furnished to Chair Birnbaum on November 3rd at the conclusion of the Commission's first organizational meeting.

A short time after the Commissioners had left the meeting room, I saw Ron Youkins carrying, under his arm, the redweld I had given to Commissioner Hormozi. When I asked him about it, he stated that its contents were going to be scanned, along with the other materials I had furnished – all to be posted on the Commission’s website.

I stated that I could save OCA staff the trouble of scanning – and would furnish pdfs of the materials. Mr. Youkins replied that this would be appreciated. I have now done what I said I would.

The verified complaints and Opposition Report have been pdf’d and compressed, but without their extensive exhibits. In lieu of the exhibits, I have appended a page at the end of each pdf, identifying that the exhibits are posted on CJA’s website, www.judgewatch.org, accessible *via* our webpage for the Commission on Legislative, Judicial and Executive Compensation that can be reached *via* the prominent homepage link: “NO PAY RAISES FOR NEW YORK’S CORRUPT PUBLIC OFFICERS: The Money Belongs to their Victims!”. The balance of the materials have been scanned, in full, as furnished to the Commission.

So as not to exceed capacity, I will e-mail the pdfs to you in batches. Here is the first – what I furnished to Chair Birnbaum and Commissioners Lack, Cozier, and Johnson, *in hand*, on November 3rd: the Executive Summary to CJA’s October 27, 2011 Opposition Report & the October 27, 2011 Opposition Report.

One final note. I am unsure whether the redweld for Commissioner Hormozi included my June 18, 2015 and June 22, 2015 letters to the JCOPE/LEC Review Commission. I intended to include them, as they were focal to my testimony before the JCOPE/LEC Review Commission at its October 14, 2015 public hearing – which I mentioned to Commissioner Hormozi in speaking to her at the dais and whose link I had furnished to the Commission by my very first November 2nd e-mail. I will be attaching these June 18, 2015 and June 22, 2015 letters, as well – and would appreciate if they were included with CJA’s submissions. All such submissions support not only CJA’s opposition to judicial salary increases, but to salary increases for the constitutional officers of the legislative and executive branches that the Commission will be considering. Needless to say, I will be requesting to testify at the Commission’s public hearings on their compensation.

If I can assist you further, or if you have any questions, please don’t hesitate to call.

Thank you.

Elena Sassower, Director
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