

Center for Judicial Accountability

From: Center for Judicial Accountability <elena@judgewatch.org>
Sent: Wednesday, September 10, 2014 3:47 PM
To: zteachout@law.fordham.edu; zteachout@gmail.com; info@zephyrteachout.com; Lina Khan (lina.m.khan@gmail.com); wu@pobox.com
Subject: Status of Your July 28, 2014 letter to AG Schneiderman, etc. -- The Still-Live Executive Order #106 & the Commission to Investigate Public Corruption

Dear Professor Teachout,

How disappointing it was to receive NO follow-up from your policy director, Lina Khan, to [primary-source evidence of Governor Cuomo's corruption](#), which had you used it, would have transformed New York's political landscape, for the benefit of all New Yorkers – and won you the democratic primary against Governor Cuomo – and the election.

[Did you review it personally? How about Professor Wu?](#)

I note that on July 28, 2014, you wrote a letter to Attorney General Schneiderman, with copies to the Commission's Co-Chairs and Members, which you publicly circulated, stating:

“The Governor has publicly announced to the press that he has ‘disbanded’ the Moreland Commission, but there is no executive order countermanding Executive Order 106. Therefore the Commission to Investigate Public Corruption has not been disbanded.

Unless an executive order is subject to mandatory renewal, the order continues in force until suspended.

The absence of a countermanding executive order leaves the original Executive Order legally alive...”

[Can you give me some caselaw on the subject? And did you ever receive a response from the Attorney General or the Commission's Co-Chairs and Members?](#) Please let me know, **ASAP**, as I would like to include them, with your July 28, 2014 letter, in the reply papers I am presently drafting in further support of my June 17, 2014 reargument/renewal/vacatur for fraud motion to intervene in the “Legislature's” declaratory judgment action vs the Commission to Investigate Public Corruption. As assumedly you know from the link I sent you of the declaratory judgment action, my April 23, 2014 order to show cause prominently identified that Executive Order #106 was still-live and had not been rescinded by the Governor – and these were also focally presented by me at the April 28th oral argument and by my June 17th reargument/renewal/vacatur motion. Here is the link, once again: <http://www.judgewatch.org/web-pages/searching-nys/commission-to-investigate-public-corruption/holding-to-account/intervention-declaratory-judgment.htm>.

Thank you.

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

From: Center for Judicial Accountability [mailto:elena@judgewatch.org]
Sent: Monday, July 21, 2014 10:23 AM
To: 'Zephyr Teachout'; 'Lina Khan'
Cc: 'Tim Wu'; 'Zephyr Info'; 'ZTEACHOUT@law.fordham.edu'

Subject: Terrific -- RE: Thank You, BUT -- RE: Your running-mate, Zephyr Teachout, needs your help in winning vs Cuomo

Thank you. [This will win you the election for the benefit of ALL New Yorkers.](#) Thank You.

Elena
914-421-1200

From: Zephyr Teachout [<mailto:zteachout@gmail.com>]
Sent: Monday, July 21, 2014 10:09 AM
To: Center for Judicial Accountability; Lina Khan
Cc: Tim Wu; Zephyr Info; ZTEACHOUT@law.fordham.edu
Subject: Re: Thank You, BUT -- RE: Your running-mate, Zephyr Teachout, needs your help in winning vs Cuomo

Thank you elena! I'm sorry I haven't responded sooner--this looks like very important information, and I'm forwarding it to Lina Khan, our policy director!

Z

On Mon, Jul 21, 2014 at 10:04 AM, Center for Judicial Accountability <elena@judgewatch.org> wrote:

Dear Tim,

Thank you for your prompt response. However, if you only "think" that your campaign manager will write me, then you have NOT yourself reviewed the below links I furnished. Have you? And has Zephyr reviewed them?

[Cuomo's corruption in office is YOUR WINNING ISSUE. His big war chest and overwhelming lead in the polls CANNOT save him because he must be indicted for corruption.](#) This is evidenced by the links to CJA's two lawsuits vs him & to my April 23rd intervention motion in the declaratory judgment action vs the Commission to Investigate Public Corruption, which fronted for and protected him, & to the succession of corruption complaints we filed against Cuomo with investigative and prosecutorial authorities. Likewise, Schneiderman and DiNapoli and a "who's who" in the Senate and Assembly, beginning with Skelos and Silver must all be indicted for corruption, based on the evidence set forth in those lawsuits and complaints.

Zephyr and yourself are perfect candidates to raise & hammer the evidentiary, legal, and constitutional issues therein presented, including the unconstitutionality of "three men in a room" deal-making – Cuomo's *modus operandi* for governance (See Zephyr's "*The Anti-Corruption Principle*", *inter alia*, pp. 354-356, 364-365, 370-371 on the relationship of size and corruption; "small group corruption" (p. 368).)

Nor is this a matter of waiting to see what US Attorney Bharara does, especially as he has been [sitting on the open-and-shut, PRIMA FACIE evidence of Cuomo's corruption since April 15, 2013](#), when I hand-delivered our corruption complaint vs Cuomo, *et al*, to his office. Indeed, I was most shocked to read, in the [Epoch Times'](#) July 8th article "*Zephyr Teachout Corruption Crusader*" of her deference to US Attorney Bharara in stating: "I don't know if [Cuomo] did anything illegal, but I know there's an ongoing investigation," she said. "There are things that could pop this summer." This is not how a gubernatorial candidate, who is a constitutional scholar with an expertise in political corruption, should be speaking when – as by our below links – she has *prima facie* evidentiary proof of Cuomo's indictable offenses for "grand larceny of the public fisc" and other corrupt acts. Has Zephyr examined CJA's [DISPOSITIVE](#) October 27, 2011 Opposition Report to the Commission on Judicial Compensation's August 29, 2011 Report...?. Certainly, had she examined it – and the mountain of additional evidence furnished by our links – she would not be purporting, as she does in a [USA Today](#) interview (July 14th), that "Most of the corruption in Albany is legal corruption".

Moreover, for Zephyr to include, in her campaign platform, “reviv[ing] the Moreland Commission” – and other statements purporting that what Cuomo established was an honest body to root out corruption, when my April 23rd order to show cause to intervene, both by my supporting affidavit and proposed verified complaint, gives chapter-and-verse details of how violative it was of the Executive Order that created it and of the State Constitution – culminating in three causes of action in the verified complaint (pp. 38-44) – is to profoundly endanger and mislead the People of the State of New York about the fraud that was cynically and maliciously perpetrated upon them.

All it takes is a scandal to change the political landscape OVERNIGHT – and the below links not only furnish you and Zephyr with a gargantuan scandal, but the opportunity to achieve historic good-government reforms for the benefit of ALL New Yorkers. Indeed, here’s a further piece of it – CJA’s July 11th letter to Cuomo and Legislative Leaders about their violation of the Public Integrity Reform Act of 2011 by their wilful and deliberate failure to appoint the commission to review JCOPE, which they were statutorily-required to appoint “No later than June 1, 2014”. And why have they not appointed the JCOPE review commission? – their knowledge that any legitimate review commission would have to expose JCOPE’s cover-up of their corruption, established by the June 27, 2013 complaint we filed with JCOPE against them, resting on our April 15, 2013 complaint to US Attorney Bharara. Here’s the link to our webpage posting the July 11th letter, as well as our equally explosive July 18th letter to JCOPE, also sent to Cuomo, identifying JCOPE’s own violation of the Public Integrity Reform Act of 2011 by its two annual reports, concealing the status and disposition of complaints filed with it: <http://www.judgewatch.org/web-pages/searching-nys/commission-to-investigate-public-corruption/holding-to-account/exposing-jcope.htm>.

I respectfully request that you direct your campaign manager to call me, as soon as possible, to arrange a meeting with you, Zephyr, and whoever else you choose to have present, to discuss the aforesaid situation. The People of New York are in dire need of honest leaders. May you and Zephyr be among them.

Thank you.

Elena
[914-421-1200](tel:914-421-1200)

From: Tim Wu [mailto:wuster@gmail.com] **On Behalf Of** Tim Wu
Sent: Sunday, July 20, 2014 10:22 PM
To: Center for Judicial Accountability

Subject: Re: Your running-mate, Zephyr Teachout, needs your help in winning vs Cuomo

Hi Elena,

Apologize that Zephyr didn't get back to you. I passed on your email to our campaign manager and I think he will write you,

Best Tim

On Jul 20, 2014, at 12:21 PM, Center for Judicial Accountability wrote:

Dear Candidate Wu,

Thank you for offering yourself as Zephyr Teachout’s running mate. However, she plainly needs your assistance – as she had not responded to my below e-mails, sent to her on June 3rd and June 26th at three separate e-mail addresses. My voice mail messages for her have also not been returned.

As you also are a law professor -- with a law degree from Harvard -- it is a simple matter for you to recognize the significance of the three lawsuits to which my below e-mails first alerted Candidate Teachout more than six weeks ago.

May I suggest you start with the proposed verified complaint in support of my April 23rd order to show cause to intervene in the Legislature's declaratory judgment action vs the Commission to Investigate Public Corruption. The link, previously furnished, is: <http://www.judgewatch.org/web-pages/searching-nys/commission-to-investigate-public-corruption/holding-to-account/intervention-declaratory-judgment.htm>. The case is LIVE!

I look forward to hearing from you – and Candidate Teachout – as soon as possible.

Thank you.

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

From: Center for Judicial Accountability [<mailto:elena@judgewatch.org>]
Sent: Thursday, June 26, 2014 10:15 AM
To: 'info@zephyrteachout.com'; zteachout@law.fordham.edu; zteachout@gmail.com

Subject: Once again, you can win vs Cuomo -- & build evidence-based scholarship on public corruption & its constitutional implications!

Dear Professor Teachout,

Looking forward to speaking with you about the game-changing political and academic significance of CJA's below three litigations & corruption complaints. Have you, as yet, examined the links?

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
[914-421-1200](tel:914-421-1200)
www.judgewatch.org

From: Center for Judicial Accountability [<mailto:elena@judgewatch.org>]
Sent: Tuesday, June 03, 2014 12:32 PM
To: 'info@zephyrteachout.com'

Subject: You can win vs Cuomo!

From: Center for Judicial Accountability [<mailto:elena@judgewatch.org>]
Sent: Tuesday, June 03, 2014 11:17 AM
To: 'zteachout@law.fordham.edu'; 'zteachout@gmail.com'

Subject: You can win vs Cuomo!

Dear Professor Teachout,

Following up my voice mail message for you a short time ago, you can win a Democratic primary against Governor Cuomo by exposing his readily-verifiable corruption in office.

Such corruption – involving millions and ultimately billions of taxpayer dollars and Governor Cuomo's touted accomplishment of "four on-time budgets" – is chronicled in two lawsuits that our nonpartisan, nonprofit citizens' organization has brought, suing the Governor and a who's who of New York's other highest public officers for corruption. It is also chronicled by our intervention motion in the Legislature's declaratory judgment action against the

Governor's now-defunct Commission to Investigate Public Corruption, a corrupt façade that protected him and those at the highest levels collusive in corrupting our government.

How wonderful that you are a law professor – with a specialty in political corruption. These three lawsuits, each expressly brought by us “on behalf of the People of the State of New York & the public interest”, are perfect paper trails, not only for your academic scholarship, but for your use in upending this year's political races for Governor, Attorney General, Comptroller, and for the Legislature. All incumbents in these offices must all be indicted for “grand larceny of the public fisc and other corrupt acts” – and would be, but for the fact that this state's investigative and prosecutorial authorities have been sitting on our fully-documented corruption complaints against these public officers. This includes U.S. Attorney Bharara and Albany County District Attorney D.A. Soares.

Everything is posted on our website, www.judgewatch.org, accessible *via* the prominent homepage links directly beneath our organization name, Center for Judicial Accountability, Inc., or *via* the top link “Latest News”. For your convenience, here are direct webpage links, from which the *prima facie* evidentiary proof to indict Governor Cuomo, *et al.*, can be easily accessed:

CJA v. Cuomo I – a declaratory judgment action, commenced on March 30, 2012: <http://www.judgewatch.org/web-pages/judicial-compensation/cja-v-governor.htm>

CJA v. Cuomo II – a citizen-taxpayer declaratory judgment action, commenced on March 28, 2014: <http://www.judgewatch.org/web-pages/searching-nys/budget-2014-2015/menu-budget-reform.htm>

CJA's order to show cause to intervene in the declaratory judgment action vs the Commission to Investigate Public Corruption, with proposed verified complaint, filed April 23, 2014: <http://www.judgewatch.org/web-pages/searching-nys/commission-to-investigate-public-corruption/holding-to-account/intervention-declaratory-judgment.htm>

CJA's succession of criminal/corruption complaints against Cuomo, *et al.*, spanning from the April 15, 2013 corruption complaint to U.S. Attorney Bharara, on which all subsequent corruption complaints rest: <http://www.judgewatch.org/web-pages/judicial-compensation/grand-larceny-of-public-fisc.htm>,

Armed with this open-and-shut, prima facie evidence of systemic governmental corruption, you can win by becoming a champion, not only of Democrats and “progressives”, but of ALL the People of New York, who will gratefully and enthusiastically rally to your side to throw off the dysfunction and corruption that plagues our state.

I look forward to speaking with you at your earliest convenience – and would gladly furnish you with hard copies of the posted website documents to advance your scholarship and candidacy.

Thank you.

Elena Sassower, Director
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Zephyr Teachout

Make a contribution today to Teachout-Wu!

<https://zephyrteachout.nationbuilder.com/donate>

www.zephyrteachout.com

“Power without love is reckless and abusive, and love without power is sentimental and anemic. Power at its best is love implementing the demands of justice, and justice at its best is power correcting everything that stands against love.”-- Martin Luther King