

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

CENTER FOR JUDICIAL ACCOUNTABILITY, INC.,
and ELENA RUTH SASSOWER, individually and as
Director of the Center for Judicial Accountability, Inc.,
acting on their own behalf and on behalf of the People of
the State of New York & the Public Interest,

Plaintiffs,

- against -

ANDREW M. CUOMO, in his official capacity as
Governor of the State of New York, ERIC T.
SCHNEIDERMAN, in his official capacity as Attorney
General of the State of New York, THOMAS
DiNAPOLI, in his official capacity as Comptroller of
the State of New York, DEAN SKELOS, in his official
capacity as Temporary President of the New York State
Senate, THE NEW YORK STATE SENATE,
SHELDON SILVER, in his official capacity as Speaker
of the New York State Assembly, THE NEW YORK
STATE ASSEMBLY, JONATHAN LIPPMAN, in his
official capacity as Chief Judge of the State of New
York, the UNIFIED COURT SYSTEM, and THE
STATE OF NEW YORK,

Defendants.

Index No. 302951/2012

(Mary Ann Brigantti-Hughes,
J.S.C.)

**AFFIRMATION OF
ANDREW H. MEIER IN
OPPOSITION TO
MOTION FOR
PRELIMINARY
INJUNCTION AND IN
SUPPORT OF CROSS-
MOTION FOR CHANGE
OF VENUE**

ANDREW MEIER, an attorney duly admitted to the Bar of this State, affirms and
states as follows, under penalties of perjury:

1. I am an Assistant Attorney General in the office of Eric T. Schneiderman,
Attorney General of the State of New York, counsel for defendants Andrew M. Cuomo,
Eric T. Schneiderman, Thomas DiNapoli, Dean Skelos, the New York State Senate,
Sheldon Silver, the New York State Assembly, Jonathan Lippman, the Unified Court
System, and the State of New York (collectively the "Defendants").

2. I submit this affirmation in opposition to the motion of plaintiffs the
Center for Judicial Accountability, Inc. and Elena Ruth Sassower (collectively

“Plaintiffs”) for preliminary injunction and in support of the cross-motion of the Defendants to change venue in this matter to New York County.

3. I am fully familiar with the matters raised herein.

4. Certain documents are referred to in the annexed memorandum of law, for the convenience of the Court, copies of these documents are annexed hereto.

5. A copy of the Decision, Order, and Judgment in *Sassower v. Commission on Judicial Conduct of the State of New York*, Sup. Ct. N.Y. Co., Index 108551/99 (“*Sassower I*”), is attached hereto as Exhibit 1.

6. A copy of the Decision, Order, and Judgment in *Sassower v. Commission on Judicial Conduct of the State of New York*, Sup. Ct. N.Y. Co., Index 109141/95, is attached hereto as Exhibit 2.

7. A copy of Decision of the Appellate Division, First Department, in *Sassower I* (289 A.D.2d 119) is attached hereto as Exhibit 3.

8. A copy of Chapter 567 of the New York Laws of 2010 is attached hereto as Exhibit 4.

9. A copy of the index of submissions accepted by the Special Commission on Judicial Compensation (the “Commission”) is attached hereto as Exhibit 5. This index and the referenced submissions are publicly available at the Commission’s website: <http://www.judicialcompensation.ny.gov/>

10. A copy of the Final Report of the Special Commission on Judicial Compensation is attached hereto as Exhibit 6.

11. A copy of the transcript of the March 30, 2012 hearing on the temporary restraining order sought by Plaintiffs in this matter is attached hereto as Exhibit 7.

12. A copy of email correspondence between Plaintiffs and the undersigned is attached hereto as Exhibit 8.

13. Copies of the CPLR 511 venue demand that the Defendants served upon Plaintiffs in this matter, UPS shipping and tracking documents confirming delivery of the venue demand on April 6, 2012, and an affidavit of service attesting to service of the venue demand on April 5, 2012 are attached as Exhibit 9. As indicated in the affidavit of service, two copies of the venue demand were mailed to Plaintiffs on April 5, 2012, one by UPS overnight mail and one by regular mail. Plaintiffs have acknowledged receipt (see Exhibit 8, at 1).

14. For the reasons set forth in the accompanying Memorandum of Law, it is respectfully submitted that the Defendants' motion to change venue must be granted and Plaintiffs' motion for preliminary injunction must be denied.

WHEREFORE, the Defendants request that this Court issue an Order granting their cross-motion to change venue to New York County, denying Plaintiffs' motion for preliminary injunction, and granting such other and further relief as the Court should find just and necessary.

Dated: New York, New York
April 13, 2012



Andrew Meier

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

CENTER FOR JUDICIAL ACCOUNTABILITY, INC.,
& ELENA RUTH SASSOWER, individually and as
Director of the Center for Judicial Accountability, Inc.,
et al.,

Plaintiffs,

- against -

ANDREW M. CUOMO, in his official capacity as
Governor of the State of N.Y., ERIC T.
SCHNEIDERMAN, in his official capacity as Attorney
General of the State of N.Y., THOMAS DINAPOLI, in
his official capacity as Comptroller of the State of N.Y.,
DEAN SKELOS, in his official capacity as Temporary
President of the N.Y.S. Senate, THE N.Y.S. SENATE,
et. al.,

Defendants.

AFFIRMATION OF ANDREW H. MEIER IN
OPPOSITION TO MOTION FOR PRELIMINARY
INJUNCTION AND IN SUPPORT OF CROSS-
MOTION FOR CHANGE OF VENUE

ERIC T. SCHNEIDERMAN

Attorney General of the State of New York

Attorney for Defendants

Assistant Attorney General

120 Broadway, 24th Floor, New York, NY 10271

Tel: (212) 416-8305

withinIs admitted
this.....day of.....2012