

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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Elena Ruth Sassower, Coordinator

By Certified Mail/RRR Z-294-568-947

December 17, 1999

Judge William A. Wetzel
Acting Justice of the Supreme Court
of the State of New York
111 Centre Street
New York, New York 10013-4310

RE: *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)*
Petitioner's Response to the Attorney General's
December 10th letter

Dear Justice Wetzel:

This letter is submitted to prevent "fraud upon the Court – and through it upon the public" -- this time by the false and deceitful December 10th letter of Assistant Attorney General Carolyn Cairns Olson (Exhibit "A")¹. Once more, despite notice to Ms. Olson's superiors at the Attorney General's office², as well to the

¹ I did not receive Ms. Olson's December 10th letter, sent by mail only, until December 15th.

² This includes a fortuitous in-person conversation on December 10th at the Attorney General's office with Arnold Fleischer, Deputy Bureau Chief of the Litigation Bureau. Mr. Fleischer seemed unaware of this case and of my many contacts with the Attorney General's office concerning Ms. Olson's litigation misconduct, as well as the Attorney General's violation of Executive Law §63.1 in representing the Commission (This includes my contact with his fellow Deputy Bureau Chief, June Duffy, to whom I personally spoke on May 14th, see ¶83 of my July 28, 1999 affidavit in support of my omnibus motion). Because Mr. Fleischer identified that he has supervisory power over Assistant Attorney General Charles Sanders who heads Section "D", which is handling this Article 78 proceeding, I twice offered to provide him with his own copy of my December 9th letter. This, beyond the copy I had already delivered for Ms. Olson and her co-counsel Assistant Attorney General Michael Kennedy and the copy for executive level

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Commission on Judicial Conduct³, including providing them with copies of my December 9th letter detailing the fraudulence of Ms. Olson's December 6th coverletter and affirmation, they have allowed her to continue her misconduct by her December 10th letter. For this reason, I again seek severest sanctions against Ms. Olson, as well as against those responsible for her supervision at the Attorney General's office and those benefiting from her misconduct at the Commission

Ms. Olson December 10th letter does not address – or even identify -- the multiple instances of fraud which my December 9th letter particularized as having been perpetrated by her December 6th affirmation. Instead, she apologizes for the “confusion” created by her erroneous reference to a “memorandum” in her December 6th coverletter. She then states that “this error is [not] so egregious as to warrant consideration of the additional arguments contained in, and attached to, petitioner's 10-page December 9, 1999 letter” – and urges the Court to reject them as “untimely”.

As Ms. Olson well knows, the Court's consideration of the balance of my December 9th letter has NOTHING to do with her coverletter's “[not] so egregious” “error”. It has to do with the fraudulent representations and material omissions in her affirmation – so egregious that no claim of “error” is possible as to them. These “additional arguments” – which Ms. Olson wants rejected as “untimely” – include:

personnel: David Nocenti, counsel to Attorney General Spitzer, Peter Pope, Chief of Mr. Spitzer's “public integrity unit”; and William Casey, Chief Investigator for the “public integrity unit”. Mr. Fleischer assured me that he would obtain the December 9th letter from the usual channels and I implored him to examine it, along with the file of the case – whose name and index number I wrote down for him. I also implored him to examine the file of Doris Sassower's Article 78 proceeding against the Commission on Judicial Conduct (NY Co. #95-109141)– featured in “*Restraining 'Liars in the Courtroom' and on the Public Payroll*” (NYLJ, 8/27/97, pp. 3-4) – a copy of which I gave him – as well as the file of Michael Mantell's Article 78 proceeding against the Commission on Judicial Conduct (NY Co. #99-108655). As to Mr. Mantell's proceeding, I pointed out to him that Exhibit “D” to my December 9th letter was my analysis of Justice Lehner's fraudulent judicial decision “throwing” the case.

³ Upon delivering a copy of my December 9th letter to the Commission on Judicial Conduct on December 10th, I requested Miguel Maisonet of the office staff to tell Gerald Stern, the Commission's Administrator, that it is bad enough that the Commission dismisses, without investigation, complaints which by law it is duty bound to investigate, but that the Commission's use of litigation misconduct to defeat challenges to those dismissals is utterly reprehensible.