

**CENTER for JUDICIAL ACCOUNTABILITY, INC.**

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BY FAX: 518-426-6904

BY CERTIFIED MAIL/RRR: Z-203-707-613

5 pages

January 13, 1999

New York State Senate Judiciary Committee  
The Capitol  
Albany, New York 12247

ATT: Susan Zimmer, Committee Clerk

RE: Senate Judiciary Committee's December 17, 1998 "hearing" on the confirmation of Albert Rosenblatt to the New York Court of Appeals


Dear Ms. Zimmer:

Confirming our phone conversation earlier today, this is to formally request a copy of the transcript of the Senate Judiciary Committee's December 17, 1998 confirmation "hearing" of Albert Rosenblatt's nomination to the New York Court of Appeals.

You stated that the transcript had not yet been received from the stenographer and that you did not know when it would be. Since you would not provide me with the stenographer's telephone number so that I could inquire about it directly, please find out from the stenographer the anticipated date when the transcript will be ready so that we may be guided accordingly.

CJA also formally requests a list of those who testified at the December 17th "hearing" or submitted written statements. In answer to my question as to whether the New York State Bar Association testified, you weren't sure whether it had or whether only a statement from it was read. Inasmuch as Mr. Gruenberg told me on December 16th that the confirmation "hearing" would be "by invitation only" -- which he then confirmed for Bruce Golding of Gannett's Journal News -- I assume that all persons and organizations testifying had been invited to do so. If the list of those invited is different from those who actually testified, we also request the identities of the invitees.

I would note that in our last phone conversation together, on December 16th, I first requested the identities of those invited to testify. This is reflected by the letter I faxed you on that date, a copy of which is enclosed for your convenience.



January 13, 1999

The December 16th letter also reflects my prior requests for publicly-available information about Justice Rosenblatt's nomination. Please advise as to when we can expect such information and the date on which the Committee finally received the "paperwork" on the nominee, including certification of the Governor's nomination.

The December 16th letter further reflects that in our December 16th conversation you did not know the date of the confirmation hearing and that I requested that you notify us as soon as the date was set. In our conversation today, I asked you why you had not notified us. Your response, before you stopped yourself mid-sentence, was that you had been told not to. You also admitted that it was not until you had already gone home on December 16th that you, yourself, were told that the hearing would be held on December 17th.

Needless to say, we would appreciate knowing who told you not to call us about the December 17th hearing. Indeed, not only did you not call us in the morning of December 17th -- but you did not return my phone message for you, left in the early afternoon of December 17th, after I had accidentally learned from a Capitol-based reporter that the hearing would be held at 3:30 that day. That message was left at about 12:40 p.m. with Sissy. This was followed up by my further message for you, left with Donna, at about 12:40 p.m. on December 18th, at which time I was told that you had already left for vacation.

Finally, and still on the subject of the Senate Judiciary Committee's no-notice, "by invitation only" confirmation "hearing", enclosed is a copy of my published Letter to the Editor in The New York Post, which you stated you had not seen.

Thanking you, in advance, for your prompt response to our informational requests.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator  
Center for Judicial Accountability, Inc. (CJA)

Enclosures

TRANSMISSION VERIFICATION REPORT

TIME : 01/13/1999 14:24  
 NAME : CJA  
 FAX : 9144284994  
 TEL : 9144211200

DATE, TIME	01/13 14:21
FAX NO./NAME	15184266904
DURATION	00:02:38
PAGE(S)	05
RESULT	OK
MODE	STANDARD ECM

2 203 707 613

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Street & Number <i>The Capitol</i>	
Post Office, State, & ZIP Code <i>Albany NY 12247</i>	
Postage	\$ <i>25</i>
Certified Fee	<i>140</i>
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Restricted Delivery Fee	
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5. Received By: (Print Name)	7. Date of Delivery
6. Signature: (Addressee or Agent) <i>X [Signature]</i> 1/13/99	8. Addressee's Address (Only if requested, and fee is paid)

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3. Article Addressed to: NYS COMMISSION ON JUDICIAL NOMINATION
Senior Summit Counsel
666 Fifth Avenue
New York, New York 10103-0084

4a. Article Number Z-471-036-403

4b. Service Type
Registered
Express Mail
Return Receipt for Merchandise
Certified
Insured
COD

7. Date of Delivery 2/9/99

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent) X J. HARRIS

PS Form 3800, April 1995

Z 471 036 404

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Sent to GOV. GEORGE PATAKI ATT. JAMES McGUIRE CALOCCI EXECUTIVE CHAMBER ROOM 214

Street & Number Albany, NY 12224

Postage \$ 1.21

Certified Fee 1.40

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing to Whom & Date Delivered 1.25

Return Receipt Showing to Whom, Date, & Addressee's Address

TOTAL Postage & Fees 1.86

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The Return Receipt will show to whom the article was delivered and the date delivered.

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2. Restricted Delivery
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3. Article Addressed to: GOVERNOR GEORGE PATAKI ATT. JAMES McGUIRE CALOCCI ROBERT PATKIN SENIOR ASST EXECUTIVE CHAMBER ROOM 214 Albany, NY 12224

4a. Article Number Z-471-036-404

4b. Service Type
Registered
Express Mail
Return Receipt for Merchandise
Certified
Insured
COD

7. Date of Delivery 2-8-99

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent) X T B

PS Form 3800, April 1995

Z 471 036 405

US Postal Service  
**Receipt for Certified Mail**

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Do not use for International Mail (See reverse)

Sent to *NYS JUDICIARY COMMITTEE*  
*Chairman LACK, David*  
*David Gruenberg*

Street & Number  
*The Capitol*

Post Office, State, & ZIP Code  
*Albany, NY 12247*

Postage \$ *1.21*

Certified Fee *1.40*

Special Delivery Fee

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Return Receipt Showing to Whom & Date Delivered

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I also wish to receive the following services (for an extra fee):

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3. Article Addressed to:  
*NYS Judiciary Committee*  
*James Lack, Chairman*  
*David Gruenberg, General*  
*The Capitol*  
*Albany, NY 12247*

4a. Article Number  
*Z 471-036-405*

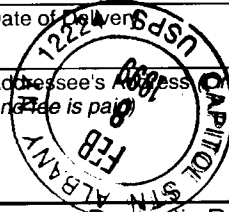
4b. Service Type  
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7. Date of Delivery  
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