

Subject: Citizen Opposition to Senate Confirmation of Chief Judge Kaye's Reappointment to the NY Court of Appeals

Date: 2/26/2007, 4:25 PM

From: Ctr for Judicial Accountability <judgewatchers@aol.com>

To: coop@nytimes.com

cc: hakim@nytimes.com, chan@nytimes.com, metro@nytimes.com, editorial@nytimes.com, letters@nytimes.com, asulz@nytimes.com, keller@nytimes.com, kavier@nytimes.com, abramson@nytimes.com

Organization: Center for Judicial Accountability, Inc.

TO: THE NEW YORK TIMES

Michael Cooper, Albany Bureau Chief

[cc: Danny Hakim, Sewell Chan, Editorial Board (especially its lawyer members:

Adam Cohen & Dorothy Samuels),

Arthur Sulzberger, Jr., Bill Keller, Jill Abramson]

Following up our brief phone conversation a short time ago.

The Senate Judiciary Committee hearing on Chief Judge Kaye's confirmation has been scheduled for Tuesday, March 6, 2007, 10 a.m., Room 124 of the Capitol.

The Committee has received numerous requests from citizens to testify in opposition to Chief Judge Kaye's confirmation. I believe CJA's request -- made by phone and by letter on February 9th -- was the first. The New York Times would serve the public well by reporting on the Committee's procedures and standards with respect to requests to testify. My February 9th letter is attached so that you can review the inquiries I made at that time concerning same (at p. 2) -- as to which there has been NO response.

As discussed, I am also attaching CJA's draft statement in opposition to Chief Judge Kaye's confirmation, so as to assist The Times in assessing its duty to both report and investigate the serious and substantial nature of the opposition. It is confidential and not to be circulated beyond the editors and reporters responsible for coverage. The referred-to substantiating documentary proof -- which would support criminal prosecution of Chief Judge Kaye for corruption -- is posted on CJA's website, www.judgewatch.org, most conveniently accessible via the top panel "Latest News", which -- under the heading "The Corruption of 'Merit Selection' to New York's Highest State Court" -- links to "Judith S. Kaye -- 2007". This includes the record of CJA's public interest lawsuit against the New York State Commission on Judicial Conduct, which was before Chief Judge Kaye BOTH administratively and judicially -- and which is also directly accessible via the sidebar panel "Test Cases-State (Commission)".

I would gladly come up to Albany, this week, to demonstrated to you that -- as stated in the penultimate paragraph of the draft -- the record of Commission case is:


"not needed to verify the essential facts of [Chief Judge Kaye's] corruption in office, which can be speedily accomplished. All that is necessary are my [October 15, 2002] reargument/vacatur for fraud motion and my [October 24, 2002] motion for leave to appeal. Indeed, from the exhibits annexed to the reargument/vacatur motion, it takes less than ONE MINUTE to verify that Chief Judge Kaye LIED in purporting that my disqualification motion was made on 'nonstatutory grounds' -- with an additional MINUTE to verify that she LIED in likewise purporting with respect to Mr. Schulz' disqualification motion four years earlier. As to Chief Judge Kaye's knowledge that -- as to *matters of law* -- the three, and then five, judicial decisions of which the Commission was beneficiary were frauds -- this can be verified from my motion for leave to appeal within AN HOUR."

Likewise I would readily meet with other Times reporters and editors.

Thank you.

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 [2-9-07-sjc.pdf \(199KB\)](#)

 [draft-statement-2-26-07.doc \(94KB\)](#)

Subject: Re: Citizen Opposition to Senate Confirmation of Chief Judge Kaye's Reappointment to the NY Court of Appeals

Date: 2/26/2007, 5:40 PM

From: Ctr for Judicial Accountability <judgewatchers@aol.com>

To: coop@nytimes.com

cc: hakim@nytimes.com, metro@nytimes.com, editorial@nytimes.com,
letters@nytimes.com, asulz@nytimes.com, keller@nytimes.com,
kavier@nytimes.com, abramson@nytimes.com

Organization: Center for Judicial Accountability, Inc.

Please forward to Sewell Chan, apparently now stationed in the Albany Bureau, who wrote the Times' January 15th article on Gov. Spitzer's appointment of Justice Jones to the NY Court of Appeals. My guess at his e-mail was incorrect & came back as undeliverable.

P.S. I have corrected typos & added a clarification to the message.

Thank you.

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