

Center for Judicial Accountability

From: Center for Judicial Accountability <elena@judgewatch.org>
Sent: Friday, May 02, 2014 4:31 PM
To: james.mcgowan@ag.ny.gov
Cc: adrienne.kerwin@ag.ny.gov
Subject: Please forward to Deputy Attorney General Meg Levine -- The Duty of Supervisory Oversight & Independent Evaluation Consistent with Executive Law 63.1 & State Finance Law Article 7-A: CJA v Cuomo Citizen-Taxpayer Action: Albany Co #1788-14
Attachments: 10-9-13-email-to-scholars.pdf

Dear Mr. McGowan,

As I did not hear back from you, I telephoned the number I found on the Attorney General's website for its Albany Litigation Bureau: 518-474-4441, to request to speak with Deputy Attorney General Meg Levine. She was not available, but I left a message for her with Theresa, a clerk, requesting that Ms. Levine obtain from you my below e-mail. Please forward it to her so that she can begin the supervisory oversight that is her duty, on behalf of the Attorney General – in the event she is unfamiliar with what has been going on.

Thank you.

Elena Sassower
914-455-4373

From: Center for Judicial Accountability [mailto:elena@judgewatch.org]
Sent: Friday, May 02, 2014 1:50 PM
To: 'James B. McGowan'
Cc: adrienne.kerwin@ag.ny.gov; 'rward@osc.state.ny.us'; 'hfanshawe@osc.state.ny.us'; 'ngroenwegen@osc.state.ny.us'; Frank Mauro (mauro@fiscalpolicy.org)
Subject: The Duty of Supervisory Oversight & Independent Evaluation Consistent with Executive Law 63.1 & State Finance Law Article 7-A: CJA v Cuomo Citizen-Taxpayer Action: Albany Co #1788-14

Dear Mr. McGowan,

Please promptly furnish me with Deputy Attorney General Levine's phone number and/or e-mail.

State Comptroller DiNapoli is an independent constitutional officer, charged with safeguarding the public fisc and taxpayer monies. As such, the Comptroller's duty is to ensure the proper disposition of plaintiffs' citizen-taxpayer action, whose merit, entitling plaintiffs to a summary judgment disposition, is obvious from the most cursory review of its particularized verified complaint, the annexed exhibits, and the CPLR §2214(c) notice to furnish papers to the court.

For this reason, shortly before 10 a.m. on April 2nd, I phoned the Comptroller's fraud hotline (1-888-672-4555), filing with Investigator Frank Smith a complaint of grand larceny of the public fisc and taxpayer dollars, stating that the particularizing facts and evidentiary proof were furnished by the lawsuit papers I had served on Comptroller DiNapoli on March 28th, service of which had been accepted by the Comptroller's Deputy Counsel, Helen Fanshawe. I further told Investigator Smith that the Comptroller's fraud investigations unit could readily examine the lawsuit papers from CJA's website, www.judgewatch.org, accessible from the prominent homepage link entitled "CJA Leads the Way to NYS Budget Reform...".