

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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NEW YORK STATE SENATE, NEW YORK STATE ASSEMBLY,
DEAN G. SKELOS and JEFFREY D. KLEIN, as members and as
Temporary Presidents of the New York State Senate, and
SHELDON SILVER, as member and as Speaker of the
New York State Assembly,

Index #160941/2013

Plaintiffs,

NOTICE TO FURNISH
PAPERS TO THE COURT
PURSUANT TO CPLR
§2214(c)

-v-

KATHLEEN RICE, WILLIAM J. FITZPATRICK, and
MILTON L. WILLIAMS, Jr. in their official capacities as
Co-Chairs of the Moreland Commission on Public Corruption
and THE MORELAND COMMISSION TO INVESTIGATE
PUBLIC CORRUPTION,

Defendants.

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PLEASE TAKE NOTICE that on the _____ day of _____ 2014, upon the
return date of the proposed intervening plaintiff's Order to Show Cause to intervene, you are
required, pursuant to CPLR §2214(c), to produce the original or certified copies of:

(1) all records identifying the amount of taxpayer monies expended by plaintiffs and
defendants in bringing and defending this declaratory action – and the related motions to quash
subpoenas, for protective orders, and motions to intervene;

(2) all records identifying the amount of taxpayer monies expended from July 2, 2013
to the present, excluding legal expenses, by defendant Commission to Investigate Public
Corruption [hereinafter "Commission"], including by staff employed by the Attorney General's
office;

(3) all records pertaining to the Commission's protocol, rules, and procedures for handling "comments" and "tips" received from members of the public by phone and in writing – and establishing the Commission's review and investigation thereof;

(4) all records pertaining to the Commission's protocol, rules, and procedures, for handling conflicts of interest by its own members, special advisors, and staff;

(5) all records pertaining to the number and names of the members of the public who had requested or registered to publicly testify at the Commission's September 17, 2013 public hearing in Manhattan, but who the Commission telephoned and/or e-mailed that they would not be permitted to testify or would be unable to be accommodated in the hearing room;

(6) all records pertaining to the number and names of the members of the public who had requested to publicly testify at the Commission's September 18, 2013 public hearing in Buffalo, before the Commission cancelled the hearing, the circumstances of that cancellation, and of the Commission's failure to reschedule;

(7) all records pertaining to the number and names of the members of the public who had registered or requested to publicly testify at the Commission's September 24, 2013 public hearing in Albany, both before and after the Commission topic-limited the hearing, and who it telephoned and/or e-mailed that they would not be permitted to testify or not included on the witness list;

(8) all records pertaining to the number and names of the members of the public who had requested to publicly testify at the Commission's October 28, 2013 topic-limited public hearing in Manhattan, notwithstanding the Commission's announcement that "Members of the public are invited to attend only";

(9) all records pertaining to the number and names of the members of the public who had requested to publicly testify at the Commission’s briefly-announced October 29, 2013 public hearing in Manhattan, which never materialized;

(10) the written testimony that members of the public submitted to the Commission, consistent with the Commission’s announcement, on its registration webpage for the September 17, 2013 and September 24, 2013 public hearings that “all written testimony that is submitted will be included in the record of the proceedings”;

(11) all documentation received from members of the public in support of their testimony at public hearings – and establishing the Commission’s review and investigation thereof;

(12) the transcripts of the Commission’s three public hearings and any documents pertaining to its instruction to Precise Court Reporting Services and/or its stenographer Stefanie Krut to refuse to correct material errors in the transcription of the testimony of members of the public, verifiable from the audio of the hearings;

PLEASE TAKE FURTHER NOTICE that proposed intervening plaintiff Elena Ruth Sassower specifically demands production of the documents she handed up to the Commission on September 17, 2013 in connection with her testimony on that date – whose volume is visible from the video of the hearing¹ and whose inventory she furnished by e-mail on September 18, 2013 (Exhibit H-2), as well as the e-mails she sent to the Commission before and after, and all records of the Commission with respect thereto.

PLEASE ADDITIONALLY TAKE NOTICE that your failure to make such production – and to certify same as originals or true and correct copies – may result in a conversion of

¹ The video is posted on CJA’s website, www.judgewatch.org, accessible *via* the prominent homepage link for this intervention motion.

defendant Commission's motion to dismiss plaintiffs' complaint for failure to state a cause of action pursuant to CPLR §3211(a)(7) to one for summary judgment for the proposed intervening plaintiff, pursuant to CPLR §3211(c), on her proposed verified complaint.

Dated: April 28, 2014
White Plains, New York

Yours, etc.

ELENA RUTH SASSOWER, Proposed Intervening Plaintiff, *Pro Se*, individually and as Director of the Center for Judicial Accountability, Inc., and on behalf of the People of the State of New York & the Public Interest

10 Stewart Place, Apartment 2D-E
White Plains, New York 10603
914-455-4373
elena@judgewatch.org

TO: Attorney General of the State of New York
Kirkland & Ellis, LLP
Kasowitz, Benson, Torres & Friedman, LLP
Loeb & Loeb, LLP

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ELENA RUTH SASSOWER, Proposed Intervening
Plaintiff, *Pro Se*, individually and as Director of the Center
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People of the State of New York & the Public Interest

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