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Elena Ruth Sassower, Director

BY FAX: 212-374-8396 (9 pages)

September 3, 2014

Supreme Court Justice Alice Schlesinger
60 Centre Street, Courtroom 212
New York, New York

RE: Declaratory Judgment Action – NYS Senate, et al. v. Rice, et al., #160941/2013
Adjournment to September 26, 2014 of Return Date of Proposed Intervening
Plaintiff's June 17, 2014 Motion for Reargument/Renewal, Vacatur & Other Relief

Dear Justice Schlesinger,

Following up my voice mail message to your chambers this morning – and my call back in the early afternoon when you picked up the phone – this is to request a three-week adjournment of the return date of my June 17, 2014 motion for reargument/renewal, vacatur & other relief, presently returnable this Friday, September 5, 2014. The new return date would be Friday, September 26, 2014.

At the Court's request, I contacted Assistant Solicitor General Judith Vale, who, upon returning my voice mail message, consented for defendants and waived any telephone conference with respect to my adjournment request. She stated, however, that she was speaking for herself, not the other counsel, who she told me she had e-mailed upon receiving my voice mail message.

As stated to Ms. Vale, despite my efforts to ensure that the Court would have the papers it needs to determine this important motion pertaining to the Court's disposition of my April 23, 2014 order to show cause to intervene, the huge set of original documents that consisted of that order to show cause is STILL MISSING – and the Clerk's Office has STILL not e-docketed the pdfs that I furnished 3-1/2 months ago in a manner permitting the Court to utilize them in any intelligent fashion.

I first brought the situation to the Court's attention by my June 24, 2014 letter, requesting its assistance in safeguarding the integrity and usability of the record and, additionally, renewing my request for authorization to e-file. A copy of that 6-page letter, without exhibits, is enclosed.

In the absence of the Court's response, I have struggled, on my own, to get responsive action from the Clerk's Office. Only today, with the return date of my reargument/renewal/vacatur motion only two days away, did I get a call-back from Jeffrey Carucci, the Statewide Coordinator for Electronic Filing, who told me that the Clerk's Office would be rectifying the deficiencies in the e-docketing of

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my April 23, 2014 order to show cause – and that he had furnished a copy of my June 24, 2014 letter to the Clerk’s Office to facilitate its doing so. He was unable to give me a time frame within which this would be done, but gave me the names of Usha Patel and Emma Drop as Court Clerk Specialists who would have responsibility for it.

Mr. Carucci also assured me that the Clerk’s Office would rectify the e-docket’s omission of my moving affidavit and exhibits supporting my June 17, 2014 reargument/renewal/vacatur motion. These, of course, are what is most directly before the Court on the motion, currently returnable on September 5, 2014.

In the absence of any objection from counsel to this adjournment request, I respectfully ask that the Court sign the enclosed proposed order adjourning the return date of my June 17, 2014 reargument/renewal/vacatur motion to September 26, 2014 – and directing the Clerk’s Office to appropriately e-docket the June 17, 2014 motion and the underlying April 23, 2014 order to show cause – and, as to the latter, verify the whereabouts of the original.

Thank you.



Elena Ruth Sassower, *Pro Se*
Proposed Intervening Plaintiff,

Acting on her own behalf & on behalf
of the People of the State of New York
& the Public Interest

Enclosures

cc: Assistant Solicitor General Judith Vale
Michael Garcia, Esq. (Kirland & Ellis, LLP)
Marc Kasowitz, Esq. (Kasowitz, Benson, Torres, & Friedman, LLP)
Jay Musoff, Esq. (Loeb & Loeb, LLP)
Jeffrey Carucci, Statewide Coordinator for Electronic Filing/Unified Court System
c/o Ronnie Schmachtenberg

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,

Proposed Order

-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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The motion for reargument/renewal, vacatur & other relief, filed on June 17, 2014 by the
pro se proposed intervening plaintiff, Elena Ruth Sassower, presently returnable on September 5,
2014, is hereby adjourned for three weeks, to September 26, 2014.

The Clerk's Office is directed to appropriately e-docket the *pro se* proposed intervening
plaintiff's June 17, 2014 motion and her underlying April 23, 2014 order to show cause – and, as
to the latter, to verify the whereabouts of the original.

Justice Alice R. Schlesinger

SO ORDERED: