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## **FAX COVER SHEET**

This fax transmission consists of a total of three (3) pages, including this cover page. If you have not received all the pages, please notify the sender ASAP.

DATE: November 30, 1997

TIME: 11:00 a.m.

FAX # : 696-8396

TO: GANNETT NEWSPAPERS

Att: Christine Mautone, Editorial Page

FROM: ELI VIGLIANO, Esq.

RE: My 11/26/97 Letter to the Editor

### **CONFIDENTIALITY NOTICE**

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### **MESSAGE**

Thank you for your note advising me that you would like to publish my Letter to the Editor. I was surprised to receive such word by mail, rather than by phone or fax, as requested, which thereby delayed this response. Herewith is a revised version of my Letter to the Editor, which precisely meets your 250-word limitation. It was quite a job to condense it, and, I must say, I certainly gained new respect for you reporters who regularly must manage to keep their stories within such tight bounds.

I would greatly appreciate it if you would please let me know that my Letter is now accepted for publication and when it will appear in the paper. As I am sure you realize, timing is important, since the Governor may appoint at any moment. Kindly send me a return fax at fax number 684-6554 or leave a message for me at 914/421-9080.

Thank you very much!



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November 30, 1997

Gannett Newspapers  
One Gannett Drive  
White Plains, NY

Att: Ron Patafio, Editorial Page Editor  
Letters to the Editor

Westchester is indebted to David McKay Wilson for his detailed report on Andrew O'Rourke's legacy. (11/23/97 "O'Rourke's privatization initiatives cost county"). The County Executive has shown bad judgment, with resultant lawsuits against the County which will cost taxpayers millions of extra dollars. One error of judgment is excusable, perhaps, two, but FOUR?

Having flouted the law in pursuit of an illegitimate end, this attorney is now asking Governor Pataki to cash in his political "chip" by giving him a judgeship. Reportedly, the Governor is ready to appoint him.

In a well-documented 1992 study of O'Rourke's credentials for a federal judgeship, the Center for Judicial Accountability, Inc., found him *unqualified*. Asked to list **ten** cases he had handled to show the requisite trial experience, incredibly, he came up with only **three**. The Center concluded that practitioner O'Rourke committed unethical conduct in connection with those cases and that he was less than honest in his Senate Judiciary questionnaire responses. The full report is available to the public. No, he lacks the legal competence to qualify as a trial lawyer -- much less a judge.

But the most significant current disqualifier for judicial office is his blatantly political, partisan attempt to shackle his successor by a "no-layoff" clause in the union contract intended as "the matrix" of ongoing collective bargaining negotiations.

Do we really need another politician on the bench -- state or federal? Unless Governor Pataki immediately gets a thundering wake-up call from the public, that's what it's going to get - and deserve.

  
ELI VIGLIANO

-- Port Charlotte, Florida

The writer, a happily retired attorney, is the Chairman and founder, in 1989, of the Ninth Judicial Committee, seeking to improve the quality of the judiciary in the Ninth Judicial District, including Westchester.