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BY FAX: 631-843-2953 (10 pages)

March 3, 2003

Robin Topping
Newsday
235 Pinelawn Road
Melville, New York 11747-4250

RE: Upholding the Public's Rights in *Spargo v. Commission and Beyond*


Dear Robin:

As discussed, enclosed are:

- (1) my faxes to Judge Spargo's lawyer, David Kunz;
- (2) pages 3, 6-7 of my October 24, 2002 motion for leave to appeal to the Court of Appeals in my public interest lawsuit against the Commission;
- (3) *Matter of Nicholson* – 50 NYS2d 610-611

Also enclosed is my "mark-up" of the pages of Judge Hurd's decision discussing the Commission. Whereas in three instances, he changes the "shall" language of Judiciary Law §44 to "MUST" – he changes it to "MAY" in his description of Judiciary Law §44.1.

As set forth by motion for leave to appeal,

 **"No provision is more important to a complainant of judicial misconduct than Judiciary Law §44.1".**

Yours for a quality judiciary,

Elena

ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc. (CJA)

Enclosures