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Elena Ruth Sassower, Coordinator

BY FAX: 212-416-8962 (31 pages)

BY MAIL

May 8, 2002

Assistant Solicitor General Carol Fischer
Office of New York State Attorney General Eliot Spitzer
120 Broadway
New York, New York 10271

RE: *Documentary Substantiation for Petitioner-Appellant's May 1, 2002 Disqualification/Disclosure Motion and Jurisdictional Statement in Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc., acting pro bono publico, against Commission on Judicial Conduct of the State of New York (NY Court of Appeals)*

Dear Ms. Fischer:

Enclosed are two Inventories itemizing the documents I transmitted to the Court of Appeals in substantiation of my May 1, 2002 disqualification/disclosure motion:

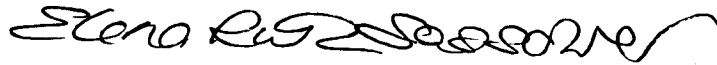
- (1) A 23-page Inventory of "[a] copy of the papers submitted on Doris Sassower's six attempted appeals", referred to at ¶58 of my disqualification/disclosure motion;
- (2) A 1-page Inventory of documents pertaining to "merit selection" to the Court of Appeals, as reflected by ¶¶95 and 115 of my disqualification/disclosure motion.

Should you wish me to furnish you with copies of any of the inventoried documents not already in your possession, please advise and I will arrange to deliver them forthwith.

May 8, 2002

Additionally enclosed is a 5-page Inventory of the copy of the record of my lawsuit that I transmitted to the Court of Appeals in substantiation of my May 1, 2002 Jurisdictional Statement (p. 7, fn. 6): both the record of the proceeding in Supreme Court/New York County (#108551/99) and in the Appellate Division, First Department (# 5638/01). You have all such inventoried documents.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator
Petitioner-Appellant *Pro Se*

Enclosures

cc: New York State Commission on Judicial Conduct

TRANSMISSION VERIFICATION REPORT

TIME : 05/08/2002 11:44

NAME : CJA

FAX : 9144284994

TEL : 9144211200

DATE, TIME	05/08 11:31
FAX NO./NAME	12124168962
DURATION	00:12:52
PAGE(S)	31
RESULT	OK
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**INVENTORY OF TRANSMITTAL
SUPPORTING DISQUALIFICATION/DISCLOSURE MOTION**

**1st Attempt to Obtain Court of Appeals' Review
of Findingless, Hearingless, Petitionless "Interim" Suspension Order**

**1991 MATTER OF DORIS L. SASSOWER
Appeal by Leave**

This appeal by leave was substantiated by a bound copy of the record of the Appellate Division, Second Department's disciplinary proceedings against Doris Sassower. The separated documents appearing in this bound copy are the same as those in File Folders "D-1" - "D-6", transmitted to the Court in support of Doris Sassower's reargument motion of her appeal of right and for leave to appeal in the Mangano Article 78 proceeding.

1. Doris Sassower's Motion for Leave to Appeal (by David Goldstein, Esq.), dated July 18, 1991
2. Affirmation in Opposition of Gary L. Casella, Chief Counsel of Grievance Committee for the Ninth Judicial District, dated July 24, 1991
3. David Goldstein's Affirmation in Further Support of Appellant's Motion for Leave to Appeal, dated August 23, 1991
4. Decision & Order of the Court of Appeals, dated September 10, 1991

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**INVENTORY OF TRANSMITTAL
SUPPORTING DISQUALIFICATION/DISCLOSURE MOTION**

**2nd Attempt to Obtain Court of Appeals' Review
of Findingless, Hearingless, Petitionless "Interim" Suspension Order**

**1992 MATTER OF DORIS L. SASSOWER
Appeal of Right**

This appeal of right was substantiated by a copy of the record of the Appellate Division, Second Department's disciplinary proceedings against Doris Sassower, annexed to the parties' submissions. Further copies of this record were transmitted to the Court in support of Doris Sassower's reargument motion of her appeal of right and for leave to appeal in the Mangano Article 78 proceeding. [File Folder "D-7"]

1. Doris Sassower's Notice of Appeal, dated September 3, 1992
2. Doris Sassower's Jurisdictional Statement, dated September 3, 1992
3. Letter of Gary Casella, Chief Counsel of Grievance Committee for the Ninth Judicial District, dated September 16, 1992
4. Doris Sassower's Affidavit in Support of Jurisdiction for Appeal as of Right, dated October 14, 1992
5. Decision & Order of the Court of Appeals, dated November 18, 1992

**INVENTORY OF TRANSMITTAL
SUPPORTING DISQUALIFICATION/DISCLOSURE MOTION**

**3rd Attempt to Obtain Court of Appeals' Review
of Findingless, Hearingless, Petitionless "Interim" Suspension Order, etc.**

**1994 DORIS L. SASSOWER v. MANGANO, et al.
(Mangano Article 78 Proceeding)
Appeal of Right**

This appeal of right was substantiated by the record of the Mangano Article 78 proceeding that was before the Appellate Division, Second Department – a copy of which was transmitted to the Court – along with a copy of Doris Sassower's post-Article 78 dismissal/summary judgment motion, made to the Appellate Division, Second Department. [referenced in Doris Sassower's March 2, 1994 letter to Court's Clerk, annexed as Supplemental Exhibit "1" to March 14, 1994 letter of her attorney, Evan Schwartz, Esq.]

1. Doris Sassower's Jurisdictional Statement, dated January 24, 1994
2. Attorney General's letter, on behalf of Respondents, dated February 11, 1994 (by Assistant Attorney General John J. Sullivan)
3. Letter of Evan S. Schwartz, Esq, attorney for Doris L. Sassower, dated March 14, 1994
4. Decision & Order of the Court of Appeals, dated May 14, 1994

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Substantiating Record for 3rd Attempt to Obtain Court of Appeals' Review

I. RECORD OF MANGANO ARTICLE 78 PROCEEDING IN APPELLATE DIVISION, SECOND DEPARTMENT

1. Doris Sassower's Notice of Petition and Verified Petition, dated April 28, 1993
2. Attorney General's Notice of Motion to Dismiss the Petition, dated May 12, 1993, with Affirmation by Assistant Attorney General John J. Sullivan)
3. Attorney General's Memorandum of Law in Support of Dismissal Motion, dated May 13, 1993 (by Assistant Attorney General John J. Sullivan)
4. Doris Sassower's Order to Show Cause with TRO/Affidavit in Opposition to Attorney General's Dismissal Motion and in Support of Omnibus Cross-Motion, dated July 2, 1993
5. Attorney General's Memorandum in Opposition to Petitioner's Cross-Motion, dated July 12, 1993 (by Assistant Attorney General Carolyn Cairns Olson)
6. Doris Sassower's July 19, 1993 Affidavit in Further Opposition to Attorney General's Dismissal Motion and in Further Support of Omnibus Cross-Motion for a Stay and Other Relief
7. Doris Sassower's July 19, 1993 Memorandum of Law in Opposition to Attorney General's Dismissal Motion and in Support of Her Cross-Motion
8. Decision, Order & Judgment of Appellate Division, Second Department, dated September 20, 1993

II. RECORD OF DORIS L. SASSOWER'S POST-ARTICLE 78 DISMISSAL/SUMMARY JUDGMENT MOTION

1. Doris L. Sassower's November 19, 1993 dismissal/summary judgment motion with compendium of exhibits
2. Affirmation in Opposition of Gary Casella, Chief Counsel of Grievance Committee for the Ninth Judicial District, dated December 7, 1993
3. Doris Sassower's December 10, 1993 letter to Appellate Division, Second Department Presiding Justice Mangano (no response received)
4. Appellate Division, Second Department Decision & Order on Motion, dated January 28, 1994

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INVENTORY OF TRANSMITTAL
SUPPORTING DISQUALIFICATION/DISCLOSURE MOTION

**4th Attempt to Obtain Court of Appeals' Review
of Findingless, Hearingless, Petitionless "Interim" Suspension Order, etc.**

1994 DORIS L. SASSOWER v. MANGANO, et al.
(Mangano Article 78 Proceeding)
Reargument of Appeal of Right/Leave to Appeal

See annexed inventory of the substantiating record of the Appellate Division, Second Department's disciplinary proceedings against Doris Sassower – a copy of which Doris Sassower transmitted to the Court in organized separate File Folders to correspond to Exhibits "D-1" – "D-19" to her January 24, 1994 Jurisdictional Statement – along with a copy of four transcripts of proceedings held AFTER the Appellate Division, Second Department's dismissal of the Mangano Article 78 proceeding. [referenced at ¶28 of Doris Sassower's July 19, 1994 moving affidavit]

1. Doris Sassower's Notice of Motion for Reargument, Reconsideration, Leave to Appeal, and Other Relief, dated July 19, 1994
2. Attorney General's Memorandum of Law in Opposition (by Assistant Attorney General Abigail I. Petersen (of counsel), Solicitor General Jerry Boone, dated August 4, 1994
3. Doris Sassower's Affidavit in Reply and in Further Support of Motion, dated August 8, 1994
4. Decision & Order of the Court of Appeals, dated September 29, 1994

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Substantiating Record for 4th Attempt to Obtain Court of Appeals' Review

RECORD OF APPELLATE DIVISION, SECOND DEPARTMENT'S DISCIPLINARY PROCEEDINGS AGAINST DORIS L. SASSOWER, organized in separate File Folders to correspond to Exhibits "D-1" - "D-19" to her January 24, 1994 Jurisdictional Statement in Support of her Appeal of Right.

DECEMBER 14, 1989 DECISION & ORDER ON APPLICATION:

Exhibit "D-1" to the Jurisdictional Statement

This ex parte Order was never served upon DLS, who also was never given notice of the application it purports to grant. The July 31, 1989 committee report, which the Order purports to be the basis for the Appellate Division, Second Department's authorization of disciplinary proceedings against DLS, is an ex parte communication, never provided to DLS nor seen by her.

In the Attorney-General's dismissal motion in the Article 78 proceeding, Assistant Attorney General Sullivan, who made no claim to having read the report, nonetheless asserted that said report "implicitly" relied upon the rarely-used exigency exception of §691.4(e)(5), thereby permitting the Grievance Committee to dispense with the prepetition requirements of written charges and hearing that DLS was never afforded.

DLS' Cross-Motion in the Article 78 proceeding (¶¶33-47, 51) demonstrated the falsity of Assistant Attorney General Sullivan's claim that the Grievance Committee had proceeded under §691.4(e)(5) and sought discovery (¶¶48-50) of the July 31, 1989 report, as well as the similarly ex parte committee reports upon which the Appellate Division, Second Department thereafter authorized the disciplinary proceedings under the January 28, 1993 Petition ("D-15") and March 25, 1993 Supplemental Petition ("D-16").

Assistant Attorney General Olson's spurious and bad-faith opposition to discovery of those committee reports was demonstrated by DLS' 7/19/93 Affidavit in support of her Cross-Motion (¶¶20-31) and Point VI of her Memorandum of Law (pp. 15-18).

Discussion of the December 14, 1989 ex parte Order can be found in DLS' 11/19/93 Dismissal/Summary Judgment Motion and, specifically, ¶¶12-13, 16, 19, 23-4, 85, underscoring that there were no "findings" of professional misconduct on which the July 31, 1989 report was based since there was no hearing, no recommendation for prosecution based thereon, but only unsworn accusations, controverted by DLS.

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OCTOBER 18, 1990 DECISION & ORDER ON MOTION:

Exhibit "D-2" to the Jurisdictional Statement

A concise specification of the multiple errors in this Order can be found, inter alia, at ¶¶29-31 of DLS' 11/19/93 Dismissal/Summary Judgment Motion--the accuracy of which Casella's December 7, 1993 Affirmation in Opposition did not dispute. Such specification amplifies the description of said Order appearing at fn. 10 of the Jurisdictional Statement:

"...the October 18, 1990 Order...contained at least seven pivotal errors--five of which were designed to cover-up the fact that there was neither personal nor subject matter jurisdiction for the October 18, 1990 Order, with the two additional errors palpably prejudicial to Appellant's rights under §691.13(b)(1)."

PAPERS UNDERLYING THE ORDER:

- (1) Casella's Order to Show Cause, signed 5/8/90, for DLS' immediate suspension or court-ordered medical examination [unsupported by the required petition showing the application was authorized by the Committee--which was disputed by DLS and never documented by the Committee by any proof thereof]
- (2) Vigliano's Cross-Motion, dated 6/7/90, for:
 - (A) Dismissal of Casella's Order to Show Cause for:
 - (i) lack of personal jurisdiction;
 - (ii) lack of subject matter jurisdiction;
 - (iii) res judicata and/or collateral estoppel;
 - (iv) invidious selectivity;
 - (v) a false, misleading and/or deceptive presentation by the Grievance Committee;
 - AND
 - (B) A pre-disciplinary hearing on the subject of unconstitutional invidious selectivity; and/or 'double jeopardy', res judicata and/or collateral estoppel.
- (3) Casella's Affirmation in Opposition, dated 6/13/90
- (4) DLS' Reply Affidavit in support of Cross-Motion, verified 6/25/90

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NOVEMBER 1, 1990 DECISION & ORDER ON MOTION:

Exhibit "D-3" to the Jurisdictional Statement

This ex parte Order, appointing Max Galfunt as special referee, afforded DLS no opportunity to contest such designation before it was made.

Such Order, not rendered until almost eight months after DLS filed her Verified Answer to the February 6, 1990 Petition, reflects the lack of exigency with which the Appellate Division, Second Department viewed this matter and the fact that, contrary to Assistant Attorney General John Sullivan's false claim in his 5/12/93 motion to dismiss the Article 78 proceeding, the Grievance Committee was not proceeding under the exigency exception of §691.4(e)(5). (See, inter alia, DLS' 7/2/93 cross-motion in the Article 78 proceeding, ¶¶33-47.)

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JUNE 12, 1991 DECISION & ORDER ON MOTION:
JUNE 12, 1991 DECISION & ORDER ON MOTION:
JUNE 14, 1991 DECISION & ORDER ON MOTION: "INTERIM" SUSPENSION

Exhibits "D-4", "D-5", and "D-6" to the Jurisdictional Statement

These three Orders were highlighted at ¶23 of DLS' 7/2/93 Cross-Motion in the Article 78 proceeding as dispositive of the necessity for recusal/transfer of the Article 78 proceeding since comparison with the underlying papers show them to be factually and legally unfounded. (See, also, 11/19/93 dismissal/summary judgment motion, ¶¶32-34). The retaliatory motive for the Appellate Division, Second Department's Orders--none of which made any findings--is described in DLS' 6/20/91 Affidavit in support of vacatur/modification (at ¶¶12-13)

PAPERS UNDERLYING THE ORDERS:

- (1) Casella's Order to Show Cause, signed 1/25/91, to immediately and indefinitely suspend DLS for "failure to comply" with the October 18, 1990 Order ("D-2").
[unsupported by the required petition showing the application was authorized by the Committee--which was disputed by DLS and never documented by the Committee]
- (2) Vigliano's Order to Show Cause, signed 1/29/91, to:
(A) vacate the Appellate Division, Second Department's October 18, 1990 Order "for lack of subject matter jurisdiction"; and (B) to discipline Casella for "bringing on an unauthorized and void [May 8, 1990] motion...resulting in...[the] jurisdictionally defective Order dated October 18, 1990..." [interim stay stricken]
- (3) Casella's Affirmation in Opposition, dated 2/5/91, to DLS Order to Show Cause
- (4) Casella's Motion, dated 2/5/91, for sanctions against Vigliano
- (5) Vigliano's Memorandum of Law, dated 2/12/91, in support of his Order to Show Cause and in opposition to Casella's Order to Show Cause
- (6) Vigliano's Affirmation in further support of his OSC and in Opposition to Casella's OSC, dated 2/12/92
- (7) Casella's Affirmation, dated 2/13/91
- (8) Vigliano's Sur-Reply Affirmation, dated 2/20/91, in Opposition to Casella's Order to Show Cause
- (9) Vigliano's Opposing Affirmation, dated 2/20/91, to Casella's motion for sanctions against him

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JULY 15, 1991 DECISION & ORDER ON MOTION:

Exhibit "D-7" to the Jurisdictional Statement

This Order denied, without reasons, vacatur or modification of the June 14, 1991 interim suspension Order ("D-6") notwithstanding DLS' stated willingness to submit to an immediate medical examination (§2 of her supporting affidavit)

The Order made no comment upon the political motivations behind the suspension of DLS' license, stemming from her activities as pro bono counsel for the Ninth Judicial Committee--set forth in DLS' motion as part of a request for recusal/transfer (§§12-14 of DLS' supporting affidavit).

PAPERS UNDERLYING THE ORDER:

- (1) Vigliano's Order to Show Cause, dated 6/20/91, to vacate or modify June 14, 1991 interim suspension Order ("D-6") and other relief [interim stay stricken]
- (2) Casella's Affirmation in Opposition, dated 6/21/91

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APRIL 1, 1992 DECISION & ORDER ON APPLICATION:
APRIL 1, 1992 DECISION & ORDER:

Exhibits "D-8" and "D-9" to the Jurisdictional Statement

These ex parte Orders were specifically highlighted at ¶19 of DLS' 7/2/93 Cross-Motion in the Article 78 proceeding as evidencing the necessity for recusal/transfer:

"...by its two Orders dated April 1, 1992...the Second Department, sua sponte, and without any statement of reasons, usurped the delegated function of the Grievance Committee of the Ninth Judicial District by overriding the unanimous vote of the Committee to hold prosecution of the February 6, 1990 Petition 'in abeyance' during the period of [DLS'] interim suspension and misrepresented that the Grievance Committee sought to 'supplement' the February 6, 1990 Petition and 'prosecute additional allegations... In fact, the Grievance Committee made no such application to 'supplement' and 'prosecute additional allegations', as its underlying March 6, 1992 letter plainly showed..." (emphasis in the original)

As set forth in DLS' 11/19/93 dismissal/summary judgment motion (¶59), the April 1, 1992 Decision and Order ("D-9"):

"provides a fortuitous glimpse of what is taking place--to wit, [the Appellate Division, Second Department's] extraordinary readiness to authorize disciplinary prosecutions against [DLS] even where, as reflected by the ex parte March 6, 1992 letter, [the Grievance Committee] had provided it with absolutely no evidentiary basis on which to do so." (emphasis in the original)

PAPERS UNDERLYING THE ORDERS:

- (1) Casella's March 6, 1992 ex parte letter addressed to Presiding Justice Mangano

JUNE 4, 1992 DECISION & ORDER ON MOTION:

Exhibit "D-10" to the Jurisdictional Statement

This Order, when compared with the accompanying Order of the same date, is inconsistent.

PAPERS UNDERLYING THE ORDER:

- (1) 4/15/92 DLS' letter to Presiding Justice Mangano
- (2) 4/20/92 Casella's letter to Presiding Justice Mangano
- (3) 5/12/92 DLS' letter to Presiding Justice Mangano

JUNE 4, 1992 DECISION & ORDER ON MOTION:

Exhibit "D-11" to the Jurisdictional Statement

This ex parte Order appointed Max Galfunt as special referee, with no opportunity afforded DLS to contest such designation before it was made.

Although the Order refers to being based upon 'the papers filed in support of the application and the respondent's papers', DLS had not by that date answered or moved against the Supplemental Petition dated April 9, 1992. Indeed, the accompanying June 4, 1994 Order ("D-10"), reflects that fact.

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JULY 31, 1992 DECISION & ORDER ON MOTION:
NOVEMBER 12, 1992 DECISION & ORDER ON MOTION: sua sponte

Exhibit "D-12" and "D-13" to the Jurisdictional Statement

These Orders, which, without reasons, denied DLS' motion for vacatur of the findingless June 14, 1991 Order of interim suspension ("D-6") and imposed upon her maximum costs--notwithstanding her suspension was a fortiori to that in Russakoff, vacated by the Court of Appeals--are described at ¶19 of the Jurisdictional Statement.

PAPERS UNDERLYING THE ORDERS:

- (1) DLS' Order to Show Cause, signed 6/16/92, to, inter alia: (A) renew Vigliano's 6/20/91 Order to Show Cause to vacate 6/14/91 suspension Order; (B) vacate 6/14/91 suspension Order based on Russakoff; (C) vacate Orders of 6/12/91 and 10/18/90; (D) direct an immediate disciplinary investigation of Casella; and (E) if motion is denied, leave to appeal to the Court of Appeals
- (2) Casella's Affirmation in Opposition, dated 6/18/92
- (3) DLS' Affidavit, dated 6/22/92, in Reply and in further support of motion to vacate 6/14/91 suspension Order and other relief
- (4) Casella's Affirmation in Further Opposition, dated 6/26/92
- (5) DLS' letter, dated 6/30/92, in response to Casella's 6/26/92 Affirmation

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NOVEMBER 12, 1992 DECISION & ORDER ON MOTION:

Exhibit "D-14" to the Jurisdictional Statement

This Order, combines two separate motions, hereinbelow inventoried, DLS' 6/18/92 motion to dismiss and her 7/3/92 motion to strike. Said Order is identified at ¶¶12 and 13 of the Jurisdictional Statement as reflecting the Appellate Division, Second Department's "refusal...to follow the law as to jurisdiction in the 'underlying disciplinary proceeding'. Indeed, the factual record and controlling law required, inter alia, the granting of DLS' 6/18/92 dismissal motion--much as it required the granting of her subsequent 11/19/93 dismissal/summary judgment motion (Cf., 11/19/93 dismissal/summary judgment motion, ¶¶26-27)

PAPERS UNDERLYING THE ORDERS:

MOTION TO DISMISS:

- (1) DLS' Motion, dated 6/18/92, to: (A) dismiss February 6, 1990 Petition and April 9, 1992 Supplemental Petition; (B) vacating April 1, 1992 Orders; (C) granting disclosure/discovery pursuant to CPLR §408; (D) transfer to another Judicial Department
- (2) Casella's Affirmation in Opposition, dated 7/2/92
- (3) DLS' Affidavit, dated 7/22/92, in Reply in Further Support of Motion to Dismiss and Other Relief

MOTION TO STRIKE:

- (1) DLS' Motion, dated 7/3/92, to: (A) strike Supplemental Petition dated 6/26/92; (B) grant disclosure/discovery pursuant to CPLR §408; (C) direct an immediate disciplinary investigation of Casella; (D) sanctions
- (2) Casella's Affirmation in Opposition, dated 7/7/92
- (3) DLS' Affidavit in Reply and in Further Support of Motion to Strike and Other Relief, dated 7/22/92

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NOVEMBER 12, 1992 DECISION & ORDER ON MOTION:

Exhibit "D-15" to the Jurisdictional Statement

This ex parte Order is purportedly based upon a committee report dated July 8, 1992. DLS was never given notice of the application it purports to grant.

The July 8, 1992 report was never furnished DLS, but was transmitted ex parte to the Appellate Division, Second Department and made the basis for prosecution of disciplinary proceedings against her, with no opportunity afforded DLS to be heard with respect thereto.

It may be noted that at the time of the July 8, 1992 committee report, DLS was already suspended from the practice of law. Under such circumstances, there could be no claim of exigency under §691.4(e)(5) so as to permit the Grievance Committee to dispense with the pre-petition requirements of written charges and hearing, which it did. Nonetheless, by this Order the Appellate Division, Second Department authorized the disciplinary proceeding that became the January 28, 1993 Petition and denied her the pre-petition due process to which she was entitled.

Discussion of this ex parte Order, which is internally inconsistent, can be found, inter alia, in DLS' 11/19/93 Dismissal/Summary Judgment Motion and, specifically, ¶¶12-13, 17, 19, 23-4, 70.

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MARCH 17, 1993 DECISION & ORDER ON MOTION:

Exhibit "D-16" to the Jurisdictional Statement

This ex parte Order is purportedly based upon a committee report dated December 17, 1992. DLS was never given notice of the application it purports to grant.

The December 17, 1992 report was never furnished DLS, but was transmitted ex parte to the Appellate Division, Second Department and made the basis for prosecution of disciplinary proceedings against her, without DLS being afforded an opportunity to be heard with respect thereto.

At the time of the December 17, 1992 report, DLS was already suspended from the practice of law. Under such circumstances, there could be no claim of exigency under §691.4(e)(5) so as to permit the Grievance Committee to dispense with the pre-petition requirements of written charges and hearing, which it did. Nonetheless, by this Order, the Appellate Division, Second Department authorized the disciplinary proceeding that became the March 25, 1993 Supplemental Petition and denied her the pre-petition due process to which she was entitled.

Discussion of this ex parte Order, can be found in DLS' 11/19/93 Dismissal/Summary Judgment Motion and, specifically, ¶¶12-13, 19, 23-4, 73-75.

APRIL 22, 1993 DECISION & ORDER ON MOTION:

Exhibit "D-17" to the Jurisdictional Statement

This Order is described at ¶¶19-20 of the Jurisdictional Statement as demonstrating the invidiousness and malice with which the Appellate Division, Second Department has, notwithstanding Matter of Russakoff, denied DLS a hearing on her interim suspension and a final order--thereby preventing review by the Court of Appeals.

PAPERS UNDERLYING THE ORDER:

- (1) DLS' motion, dated 12/14/92, for: (A) reargument, renewal, and reconsideration of Appellate Division, Second Department's sua sponte November 12, 1992 Order ("D-13"), amending its July 31, 1992 Order ("D-12") and, alternatively, (B) directing an immediate post-suspension hearing as to the basis of the June 14, 1991 suspension Order ("B-6"); (C) certifying as a question of law to the Court of Appeals whether Russakoff controls the case at bar so as to require vacatur.
- (2) Casella's Affirmation in Opposition, dated 12/24/92
- (3) DLS' Reply Affidavit, dated 2/24/93
- (4) DLS' Supplemental Affidavit, dated 3/8/93

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MAY 24, 1993 DECISION & ORDER ON MOTION:

Exhibit "D-18" to the Jurisdictional Statement

This Order, improperly combining two separate and unrelated motions, is discussed, inter alia, at ¶¶47-49 of DLS' 11/19/93 dismissal/summary judgment motion.

PAPERS UNDERLYING THE ORDER:

MOTION TO VACATE PETITION DATED JANUARY 28, 1993:

- (1) DLS' motion, dated 2/22/93, to vacate service and dismiss the January 28, 1993 Petition for lack of personal jurisdiction
- (2) Casella's Affirmation in opposition, dated 3/2/93
- (3) DLS' Reply Affidavit, dated 3/8/93

MOTION TO VACATE SUPPLEMENTAL PETITION DATED MARCH 25, 1993:

- (1) DLS' motion, dated 4/14/93, to vacate service and dismiss the March 25, 1993 Supplemental Petition for lack of personal jurisdiction
- (2) Casella's Affirmation in opposition, dated 4/22/93

SEPTEMBER 20, 1993 DECISION & ORDER ON MOTION:

Exhibit "D-19" to the Jurisdictional Statement

The indefensibility of this Order is summarized, inter alia, at ¶¶47-49 of DLS' 11/19/93 dismissal/summary judgment motion.

PAPERS UNDERLYING THE ORDER:

- (1) DLS' motion, dated 6/14/93, for reargument and renewal of the May 24, 1993 Order ("D-18"), and other relief, including recusal/transfer to another Judicial Department
- (2) Casella's Affirmation in Opposition, dated 6/23/93
- (3) DLS' Reply Affidavit, verified 7/9/93

**INVENTORY OF TRANSMITTAL
SUPPORTING DISQUALIFICATION/DISCLOSURE MOTION**

**5th Attempt to Obtain Court of Appeals' Review
of Findingless, Hearingless, Petitionless "Interim" Suspension Order**

**1995 MATTER OF DORIS L. SASSOWER
Appeal of Right**

This appeal of right was substantiated by a copy of the record of the Appellate Division, Second Department's disciplinary proceedings against Doris Sassower. [See annexed inventory]

1. Doris Sassower's Letter of Donald M. Sheraw, Clerk of the Court of Appeals, dated November 15, 1995
2. Doris Sassower's Jurisdictional Statement, dated November 15, 1995
3. Mr. Sheraw's letter to Doris Sassower, dated November 27, 1995
4. Doris Sassower's Letter to Mr. Sheraw, dated December 6, 1995
5. Notice of Motion to Dismiss Appeal of Matthew Renert, "of counsel to Gary L. Casella", Chief Counsel of Grievance Committee for the Ninth Judicial District, dated December 6, 1995
6. Doris Sassower's Affidavit in Opposition to Petitioner-Respondent's Motion to Dismiss Respondent-Appellant's Appeal of Right, dated December 26, 1995
7. Decision & Order of the Court of Appeals, dated February 20 1996

Substantiating Record for 5th and 6th Attempts to Obtain Court of Appeals' Review

1995 and 1996 MATTER OF DORIS L. SASSOWER
Appeal of Right and Reargument/Leave to Appeal

1. Casella's Notice of Motion to Confirm the Report of the Special Referee, 12/13/94
2. Ltr of Eli Vigliano, Esq., 1/4/95
3. DLS Opposing Affidavit, 1/6/95
4. Casella's ltr to Appellate Division, Second Department, 1/12/95
5. Appellate Division, Second Department's Decision & Order on Motion, 2/24/95
6. DLS Notice of Motion for Reargument, Renewal, Leave to Appeal to the Court of Appeals, Leave to Appeal on Certified Questions of Law, and Other Relief, 3/27/95
 - Ex. "C": DLS Petition for Writ Certiorari to the U.S. Supreme Court in Article 78 proceeding, Sassower v. Mangano, et al.
 - Ex. "D": Summons and Complaint in §1983 federal action, Sassower v. Mangano, et al.
7. Casella's Affirmation in Opposition to Respondent's Motion, 4/4/95
8. Notice of Right to Seek Intervention, 5/1/95
9. DLS Affidavit in Reply and in Further Support of Motion for Reargument, Renewal, Leave to Appeal and Other Relief, 5/1/95
 - Ex. "A": DLS Reply Memorandum to the U.S. Supreme Court in Article 78 proceeding, Sassower v. Mangano, et al.
10. Appellate Division, Second Department's Decision & Order on Motion, 6/23/95

**INVENTORY OF TRANSMITTAL
SUPPORTING DISQUALIFICATION/DISCLOSURE MOTION**

**6th Attempt to Obtain Court of Appeals' Review
of Findingless, Hearingless, Petitionless "Interim" Suspension Order**

**1996 MATTER OF DORIS L. SASSOWER
Reargument of Appeal of Right /Leave to Appeal**

Substantiating record transmitted with 1995 appeal of right.

1. Doris Sassower's Notice of Motion for Recusal, Reargument, Reconsideration, and Leave to Appeal, dated March 27, 1996
2. Notice of Cross-Motion of Matthew Renert, "of counsel to Gary L. Casella", Chief Counsel of Grievance Committee for the Ninth Judicial District, dated April 8, 1996
3. Doris Sassower's Affidavit in Opposition to Cross-Motion and in Further Support of her Motion, dated April 18, 1996
4. Decision & order of the Court of Appeals, dated June 11, 1996

**INVENTORY OF TRANSMITTAL
SUPPORTING DISQUALIFICATION/DISCLOSURE MOTION**

Documents Pertaining to "Merit Selection" to the Court of Appeals

1. September 7, 1993 Written Statement of Doris L. Sassower, Director, Ninth Judicial Committee, in Opposition to Senate Confirmation of Howard A. Levine to the Court of Appeals – with Substantiating Compendium of Documents

2. December 15, 1993 Joint Written Statement of Doris L. Sassower, Director, Center for Judicial Accountability, and Elena Ruth Sassower, Coordinator, Ninth Judicial Committee, in Opposition to Senate Confirmation of Carmen Ciparick to the Court of Appeals – with substantiating Compendium of Documents

3. CJA's October 16, 2000 Report on the Commission on Judicial Nomination's Abandonment of "Merit Selection" Principles – with substantiating File Folders "A" and "B" (inventory annexed to October 16, 2000 Report)

4. CJA's November 13, 2000 Report of the Bar Associations' Complicity in the Corruption of "Merit Selection" to the Court of Appeals

INVENTORY OF TRANSMITTAL SUPPORTING APPEAL OF RIGHT

ELENA RUTH SASSOWER v. COMMISSION

CARTON #1:

Supreme Court/New York County (#108551/99)

1. Elena Sassower's Notice of Right to Seek Intervention, Notice of Petition, and Verified Petition (April 22, 1999)
2. Attorney General's Affirmation (Carolyn Cairnes Olson) in Support of Respondent's Application Pursuant to CPLR §3012(d) (May 17, 1999)
3. Attorney General's Dismissal Motion (May 24, 1999), consisting of:
 - (a) Notice of Motion, with Affirmation of Assistant Attorney General Michael Kennedy and Affidavit of Albert Lawrence, Clerk of the Commission on Judicial Conduct;
 - (b) Memorandum of Law in Support of Motion to Dismiss, signed by Assistant Attorney General Carolyn Cairns Olson
4. Elena Sassower's Omnibus Motion (July 28, 1999), consisting of:
 - (a) Notice of Motion, with Affidavit of Petitioner and Affidavit of Doris L. Sassower, CJA Director;
 - (b) Memorandum of Law in Opposition to Respondent's Dismissal Motion & in Support of Petitioner's Motion for Disqualification of the Attorney General, Sanctions, a Default Judgment, and Other Relief

File Folder I: (in 3 parts)
Record of Doris L. Sassower v. Commission (S. Ct/NY Co. #109141/95) inventoried at A-346;
Rifkin Documents, inventoried at A-347
Hirshman Documents, inventoried at A-347

File Folder II: Documents substantiating CJA's January 27, 1999 letter to Attorney General Spitzer; inventoried at A-348

File Folder III: Documents substantiating CJA's March 26, 1999 ethics complaint, inventoried at A-349
5. Attorney General's Reply Memorandum in Further Support of a Motion to Dismiss and in Opposition to Petitioner's Motion for "Omnibus Relief", signed by Assistant Attorney General Carolyn Cairns Olson (August 13, 1999)

- 6. Elena Sassower's Papers in Reply and in Further Support of her Omnibus Motion (September 24, 1999), consisting of:
 - (a) Petitioner's Reply Affidavit
 - (b) Petitioner's Reply Memorandum of Law
- 7. Elena Sassower's November 5, 1999 letter to Acting Supreme Court Justice Barbara Kapnick
- 8. Elena Sassower's November 15, 1999 letter to Acting Supreme Court Justice William Wetzel
- 9. Justice Wetzel's November 22, 1999 letter to Elena Sassower
- 10. Elena Sassower's December 2, 1999 letter to JusticeWetzel [A-250-290]
- 11. Elena Sassower's December 2, 1999 letter to Administrative Judge Stephen Crane [A-291-293]
- 12. Assistant Attorney General Carolyn Cairns Olson's December 6, 1999 letter to Justice Wetzel and Affirmation in Further Support of Dismissal Motion
- 13. Elena Sassower's December 9, 1999 letter to Acting Supreme Court Justice William Wetzel [A-308-334]
File Folder: Lower Court Record in Mantell v. Commission (NY Co. #108655/99), inventoried at A-350
- 14. Assistant Attorney General Carolyn Olson's December 10, 1999 letter to Justice Wetzel
- 15. Elena Sassower's December 17, 1999 letter to Acting Supreme Court Justice William Wetzel [A-336-342]
- 16. Decision/Order of Acting Supreme Court Justice William Wetzel, dated January 31, 2000 [A-9-14]

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INVENTORY OF TRANSMITTAL SUPPORTING APPEAL OF RIGHT

CARTON #2: **ELENA RUTH SASSOWER v. COMMISSION**
 Appellate Division, First Department (#5638/01)

Appellate Briefs

1. Elena Sassower's Appellant's Brief, dated December 22, 2000
 (with Appendix)
2. Respondent's Brief by Assistant Solicitor General Carol Fischer,
 dated March 22, 2001
3. Elena Sassower's Reply Brief, dated August 17, 2001
 (see also Elena Sassower's incorporated-by-reference
 August 17, 2001 motion)

Petitioner-Appellant's August 17, 2001 Motion (M-4755)

1. Elena Sassower's August 17, 2001 motion (2 volumes)
 (¶50 of moving affidavit incorporates by reference Elena Sassower's
 September 21, 2000 motion on the appeal of *Mantell v. Commission*)
2. Assistant Solicitor General Carol Fischer's Affirmation in Opposition, dated
 August 30, 2001
3. Assistant Solicitor General Carol Fischer's Memorandum of Law in
 Opposition, dated August 30, 2001
4. Elena Sassower's October 15, 2001 Reply Affidavit

Petitioner-Appellant's November 16, 2001 Interim Relief Application

1. Elena Sassower's Interim Relief Application, dated November 16, 2001
2. Elena Sassower's completed form – with November 19, 2001 disposition by
 Appellate Division, First Department Justice Eugene L. Nardelli, Presiding
 Justice of the assigned appellate panel

Petitioner-Appellant's November 19, 2001 Interim Relief Application

1. Elena Sassower's Interim Relief Application, dated November 19, 2001
2. Elena Sassower's completed form – with November 20, 2001 disposition by Appellate Division, First Department Presiding Justice Joseph Sullivan, dated November 20, 2001

Petitioner-Appellant's November 30, 2001 Request to Supplement the Record Pursuant to §600.11(f)(4) of the Appellate Division, First Department Rules

1. Elena Sassower's November 30, 2001 letter to the members of the Appellate Division, First Department appellate panel

Petitioner-Appellant's January 17, 2002 Motion for Reargument (M-323)

1. Elena Sassower's motion for reargument, dated January 17, 2002
2. Assistant Solicitor General Carol Fischer's "affirmation" in opposition, dated February 7, 2002
3. Elena Sassower's reply affidavit, dated February 20, 2002
4. Appellate Division, First Department's decision & order, dated March 26, 2002

Petitioner-Appellant's February 20, 2002 Motion for Leave to Appeal to the Court of Appeals (M-938)

1. Elena Sassower's motion for leave to appeal to the Court of Appeals, dated February 20, 2002
2. Assistant Solicitor General Carol Fischer's affirmation in opposition, dated February 27, 2002
3. Elena Sassower's reply affidavit, dated March 7, 2002
4. Appellate Division, First Department's decision & order, entered March 26, 2002

