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BY PRIORITY MAIL/CERTIFIED/RRR: 471-036-402

November 30, 1998

Philip S. Anderson, President
American Bar Association
c/o Williams & Anderson
111 Center Street, Suite 2200
Little Rock, Arkansas 72201

RE: CJA's Request for an Invitation to the ABA's "By Invitation Only" Symposia and Conference; Retraction of the ABA's Purported Termination of Doris L. Sassower's ABA membership and of Elena Sassower's Right to Attend ABA Meetings; and Disciplinary Measures against ABA Deputy General Counsel Catherine Daubard and Others for Unprofessional Conduct

Dear President Anderson:

This letter requests an invitation to attend the ABA's upcoming symposia and conference, most particularly, "Bulwarks of the Republic: Judicial Independence and Accountability in the American System of Justice" on December 4-5, 1998 in Philadelphia. According to your President's Column (ABA Journal, December 1998), such programs are supported by grants from the Open Society Institute. Presumably you know that the Open Society Institute gives its support "to encourage debate in areas where one view of an issue dominates all others."

By letter dated November 12th, addressed to the attention of your staff assistant, Luke Bierman (Exhibit "A"), with whom I had twice spoken, I requested an invitation to these "By Invitation Only" programs. My letter referred to the ABA's knowledge of CJA's "long-standing commitment to protect the public interest by ensuring judicial independence and accountability" -- documented in voluminous correspondence with ABA Presidents spanning 6-1/2 years -- including with yourself. Indeed, our first letter to you, dated August 11, 1998, asserted the significance of that voluminous correspondence as

"directly relevant to ... [the issues being discussed at these symposia] and should ultimately be referred to the ABA committees involved in the planning and development of these symposia, with notice given to symposium participants that such empirical evidence sheds a great deal of light on the subjects about which they will be speaking. Indeed, based on those materials and CJA's demonstrated expertise and 'in-the-trenches' experience, we should be invited speakers at the symposia."

Much as you did not respond to our August 11th letter or to our several subsequent letters -- including our August 20th and September 4th letters (Exhibits "B" and "C") which brought to your attention that ABA General Counsel Darryl DePriest, to whom we were told our August 11th letter was directed, was not returning our phone calls -- likewise, Mr. Bierman did not respond to my November 12th letter (Exhibit "A"). Consequently, on November 25th, I phoned Mr. Bierman. My first call was at 9:55 a.m. (Chicago time), when I was informed by Michelle Ekanemesang that he was at a meeting. Four and a half hours later, at 3:25 p.m. (Chicago time), I was told by Melissa Redd that he had left for the day. Approximately an hour after that, I received a faxed letter from the office of ABA General Counsel, signed by Deputy General Counsel, Catherine Daubard, denying our request for an invitation to the ABA's symposia and conference¹, with copies of the letter indicated for Mr. DePriest and Mr. Bierman (Exhibit "D").

Ms. Daubard's November 25, 1998 letter is, in every material respect, defamatory, dishonest, deceitful, and disingenuous. This would have been obvious had Ms. Daubard revealed that among CJA's voluminous correspondence with the ABA over the past many years is a January 29, 1997 letter, which rebuts the very grounds on which she now relies to deny the invitation request. Those relied-upon grounds are that I had been previously informed that I would not be permitted to attend ABA meetings, based on my "prior disruptive behavior" -- as to which she contends "there does not appear to be any justification for changing that decision" -- and that Doris Sassower is not an ABA member in that "she has been indefinitely suspended from the practice of law." (Exhibit "D").

Annexed hereto is a copy of that January 29, 1997 letter, addressed to Carol Murphy, Staff Director of the American Bar Foundation (Exhibit "E") -- to which Ms. Daubard was an indicated recipient. The letter particularizes Ms. Daubard's grossly unprofessional conduct when, *without* any prior notice or opportunity to be heard and *without* any factual basis whatsoever, she wrongfully barred my attendance at ABA meetings and purported to terminate Doris Sassower's ABA membership. The letter not only details Ms. Daubard's unabashed disregard for the true facts and elementary professional and due process standards, but, by an annexed January 28, 1997 letter, chronicles the abhorrent professional

¹ On November 25th, shortly after Ms. Daubard's letter was faxed to us, Shirley Myles, her assistant, telephoned to confirm its receipt. My response to her was that I wished to speak with you, directly, about such letter -- and, if not with you, then with Mr. DePriest. On November 27th, I left a phone message to that effect on Ms. Daubard's voice mail.

misconduct of yet another ABA Deputy General Counsel, Karen Blasingame, to whom we turned in the wake of Ms. Daubard's baseless and unjustified actions. Among the recipients of our January 29, 1997 letter was then ABA President N. Lee Cooper. Neither he nor any of the other ABA recipients ever responded. This includes Ms. Daubard, who never denied or disputed the truth or accuracy of the January 29, 1997 letter, and Ms. Blasingame, who never denied or disputed the truth or accuracy of the January 27, 1997 letter. Consequently, by letter dated January 26, 1998 to then President Jerome Shestack, we summarized (at pp. 3-4) the ABA's non-response to our undisputed showing of professional misconduct by Ms. Daubard and Ms. Blasingame, enclosing a copy of the January 29, 1997 letter, to which the January 27, 1997 letter was appended. Neither President Shestack nor any of the other ABA recipients responded -- a fact highlighted by our August 11, 1998 letter to you, to which you have similarly not responded. Nor have any of the other ABA recipients of our August 11th letter responded, Mr. Cooper and Mr. Shestack among them.

The fact that you and your presidential predecessors have failed to respond to such profoundly serious correspondence was raised by Doris Sassower at the meeting of the New York Fellows of the American Bar Foundation, held on November 10, 1998 in New York City. ABA President-Elect William G. Paul addressed that meeting, at which Mr. Bierman was also present². Since that correspondence largely concerned the ABA's wilful abandonment of its professional responsibilities to protect judicial whistleblowing lawyers from judicial retaliation and to ensure the adequacy of mechanisms to protect the public from judicial corruption, as reflected in the Supreme Court papers in *Sassower v. Mangano et al.* (#98-106), Ms. Sassower gave Mr. Paul a copy of those papers, in hand, in full view of the assembled Fellows and called on him to exercise his leadership initiative in rectifying the inaction and indifference of his predecessors. In the hearing of all, Mr. Paul's answer was that he would do so after reviewing the papers. As you should know by now, *Sassower v. Mangano*³ explodes EVERY myth the ABA and judicial establishment have been promoting about judicial independence and accountability. Indeed, by its demonstration that there are NO checks on even the most flagrant judicial corruption, *Sassower v. Mangano* provides a solid evidentiary basis for public distrust of, and contempt for, our state and federal judicial systems, as well as for the leadership of the organized bar which covers up that corruption.

Ms. Daubard's November 25, 1998 letter (Exhibit "D") acknowledges that:

² Mr. Bierman came over and introduced himself to Doris Sassower, who asked him directly why the Presidents had not answered any of our correspondence. He responded by stating that the Presidents are away a lot and don't get to see all their mail. The fact is that CJA's letters to you and Mr. Shestack have NOT been sent to the ABA offices, but to your own law offices. As reflected by our August 20, 1998 letter to you (Exhibit "B"), your secretary informed us that she had been instructed by ABA's Office of the President NOT EVEN TO OPEN our express-mail package containing our August 11th letter, but to send it directly to Chicago.

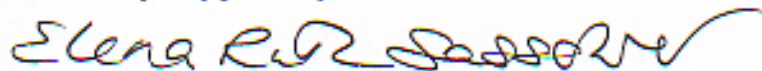
³ CJA's January 26, 1998 to Mr. Shestack and August 11, 1998 letter to you are reprinted in the appendix to the supplemental brief in *Sassower v. Mangano* [SA-90; SA-102].

"Members of the general public may be invited to attend a particular meeting if, in the judgment of the ABA, they have a special interest in or can make a contribution to the subject of the particular meeting".

Inasmuch as CJA's August 11th letter and subsequent correspondence to you, enclosing the Supreme Court papers in *Sassower v. Mangano*, make manifest our in-the-trenches expertise and commitment to the very issues which will be the subject of the symposia and conference -- judicial independence, accountability, public trust and confidence -- and, additionally, that our evidence-based perspectives have long been purposefully suppressed by the ABA power structure and the authorities on which it relies -- we again request the invitation to which the beneficence of the Open Society Institute would surely entitle us.

Indeed, consistent with the ABA's booklet, Promoting Professionalism, for which the Open Society Institute contributed \$20,000⁴, it is long past time that ABA leadership held to basic standards of professionalism, expected of any attorney. As a preliminary first step, the ABA is professionally obligated to immediately retract the purported termination of Doris Sassower's ABA membership and my right to attend ABA meetings and to take long-overdue disciplinary measures against Ms. Daubard and those complicitous in her continuing misconduct.

Yours for a quality judiciary,



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

Enclosures

cc: Open Society Institute

Att: Catherine Samuels, Director, Program on Law and Society
ABA President-Elect William G. Paul
Former ABA President Jerome Shestack
Former ABA President N. Lee Cooper, Esq.
Leonard H. Gilbert, Chair, Fellows of the American Bar Foundation
ABA General Counsel's Office

Att: Darryl DePriest, General Counsel

Att: Catherine A. Daubard, Deputy General Counsel

Luke Bierman, Staff Assistant, Office of the ABA President

⁴ CJA previously directed your attention to the Open Society Institute's \$20,000 support for Promoting Professionalism in the context of your non-response, and that of Mr. DePriest, to our correspondence (See CJA's September 4, 1998 ltr, Exhibit "C", fn. 1).

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Philip S. Anderson
President
American Bar Assoc
96 Williams + Anderson
111 Center St, Suite 2200
Little Rock, Arkansas 72201

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Mary C. Koch

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