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2 pages 1:00 p.m.

TO: Daniel Kolb, Chairman  
Judiciary Committee, Association of the Bar of the City of New York

DATE: February 5, 1998

RE: O'Rourke waiver

Following up your return call earlier, I will be expecting your promised call later today when you are back in your office and have before you Section 211 of the Retirement and Security Law. Please also have before you my January 30th letters to the OCA, as well as Administrative Judge Lippman's January 29th letter to Senators Dollinger and Leichter -- purporting to respond to theirs of January 27th.

To add to the mountain of materials I have already sent you, enclosed is today's Daily News editorial, "O'Rourke's Pork". As discussed, we do not believe there is any "loophole" in the law. Rather, the OCA has broken the law in granting Mr. O'Rourke's waiver.

Based on the law, the City Bar should -- at very least -- be joining in CJA's request that the waiver be reconsidered and rescinded.

Elena Ruth  
Sassover