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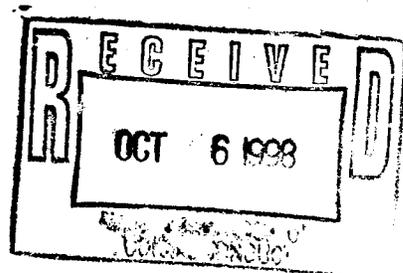
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Elena Ruth Sassower, Coordinator

BY HAND

October 6, 1998

Gerald Stern, Administrator
New York State Commission on Judicial Conduct
801 Second Avenue
New York, New York



RE: Judicial Misconduct Complaint against Appellate Division, Second Department Justice Albert M. Rosenblatt and against his co-defendant Appellate Division, Second Department justices in the *Sassower v. Mangano, et al.* federal civil rights action

Dear Mr. Stern:

Transmitted herewith is a copy of the Center for Judicial Accountability's October 5, 1998 letter -- to the State Commission on Judicial Nomination -- which, at page 8, expressly identifies that it is being filed with the Commission on Judicial Conduct "as yet a further facially-meritorious complaint against Justice Rosenblatt"¹.

As set forth therein, the basis for our instant complaint against Justice Rosenblatt is two-fold: (1) our belief, for reasons particularized at page 4 of the letter, that Justice Rosenblatt committed perjury in his responses to Questions #30(a)-(b) and #32(d) of the Commission on Judicial Nomination's

¹ We note from your enclosed perspective column, "*Judicial Independence Is Alive and Well*" (NYLJ, 8/20/98), which twice invokes Judiciary Law §44.1, that you are quite willing to recognize the controlling significance of that statutory provision -- when it serves your purpose to do so. Perhaps the Commission on Judicial Nomination will be able to elicit from you an explanation as to the basis upon which our September 19, 1994, October 26, 1994, and December 5, 1994 facially-meritorious complaints against Justice Rosenblatt and other Second Department Justices, including Justice William Thompson, a Commission member, were nonetheless, each dismissed by the Commission, without investigation or reasons., by letters dated December 13, 1994 and January 24, 1995. As you know, your refusal to answer that question led to our Article 78 proceeding against the Commission, which annexed copies of those complaints and dismissal letters. Supreme Court Justice Herman Cahn then protected you and the Commission by his fraudulent dismissal decision, as most graphically particularized in "*Restraining 'Liars in the Courtroom' and on the Public Payroll*". (Exhibit "D" to our letter to the Commission on Judicial Nomination).

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questionnaire; and (2) Justice Rosenblatt's collusion and complicity -- and that of his co-defendant Second Department judicial brethren -- in the litigation fraud of co-defendant counsel, the New York State Attorney General in *Sassower v. Mangano, et al.* Such litigation fraud is particularized in our *unopposed* cert petition therein, which is also transmitted, together with our supplemental brief (S. Ct. #98-106).

Encompassed by this facially-meritorious complaint against Justice Rosenblatt is a facially-meritorious complaint against his co-defendant Second Department justices based on the *Sassower v. Mangano, et al.* federal action. Needless to say, upon request, we will promptly transmit to the Commission a copy of the record of the district court and Second Circuit proceedings (S.D.N.Y. 94 Civ. 4514; 2nd Cir. #96-7805) so that you can verify the brazenness with which these Second Department justices not only engaged in conduct "prejudicial to the administration of justice" [NYS Constitution, Article VI, §22(a)], but wilfully obstructed "the administration of justice" on the federal level.

As in the past, you may be assured of our complete cooperation.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc.

Enclosures

cc: NYS Commission on Judicial Nomination