

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, April 2, 2025 11:41 AM
To: 'sara@jimfornyc.com'
Cc: 'Info JimforNYC'; 'jwalden@wmhwlaw.com'

Subject: Again thanks, Sara -- Mr. Walden, thank you for running for NYC Mayor -- I can help you win!

Dear Sara,

Thanks for your prompt below e-mail.

As I do not currently have an active PACER account, kindly e-mail yesterday's "Order" – and such "Memorandum and Order to follow", when available.

Thank you.

Elena
914-421-1200

From: sara@jimfornyc.com <sara@jimfornyc.com> **On Behalf Of** Info JimforNYC
Sent: Wednesday, April 2, 2025 11:11 AM
To: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Subject: Re: Thank you, Sara -- Mr. Walden, thank you for running for NYC Mayor -- I can help you win!

Hi Elena.

Thanks for your note.

I've forwarded your email to jim, who you can always write to directly at jwalden@wmhwlaw.com. Just cc me at sara@jimfornyc.

Here is the yesterday's update on the case. I'll keep you posted on our next steps.

Warm wishes,
Sara

From: ecf_bounces@nyed.uscourts.gov <ecf_bounces@nyed.uscourts.gov>
Date: Tuesday, April 1, 2025 at 3:13 PM
To: nobody@nyed.uscourts.gov <nobody@nyed.uscourts.gov>
Subject: Activity in Case 1:25-cv-00072-LDH-TAM Walden v. Kosinski et al Order on Motion for Preliminary Injunction

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

NOTE TO PUBLIC ACCESS USERS Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 4/1/2025 at 3:12 PM EDT and filed on 4/1/2025

Case Name: Walden v. Kosinski et al

Case Number: [1:25-cv-00072-LDH-TAM](#)

Filer:

Document Number: No document attached

Docket Text:

ORDER: Plaintiff's motion [15], [20] for a preliminary injunction is DENIED. Memorandum and Order to follow. Ordered by Judge LaShann DeArcy Hall on 4/1/2025. (SCI)

1:25-cv-00072-LDH-TAM Notice has been electronically mailed to:

Stephen Edward Kitzing Skitzing@law.nyc.gov, ecf@law.nyc.gov

Raphael E. Savino rsavino@boenyc.gov

John R Cuti jcuti@cutifrisch.com

Yuval Rubinstein yuval.rubinstein@ag.ny.gov, OAGLitSLC@ag.ny.gov

1:25-cv-00072-LDH-TAM Notice will not be electronically mailed to:

On Wed, Apr 2, 2025 at 9:32 AM Center for Judicial Accountability, Inc. (CJA)
<elena@judgewatch.org> wrote:

Thank you, Sara.

I have checked my e-mail, but have no record of response to my below March 18th e-mail to Mr. Walden.

Kindly confirm that it has now been furnished to him. What has happened in his federal lawsuit? I have found no subsequent reporting about it by the Daily News or other media. Can you send me the Court's decision(s)?

I look forward to speaking with Mr. Walden – and to assisting him win his race to be NYC’s next mayor, which if he will be true to his commitment to “fighting corruption”, he WILL win.

Elena
914-421-1200

From: sara@jimfornyc.com <sara@jimfornyc.com> **On Behalf Of** Info JimforNYC
Sent: Tuesday, April 1, 2025 10:20 PM
To: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Cc: sara@jimfornyc.com

Subject: Re: Mr. Walden, thank you for running for NYC Mayor -- I can help you win!

Dear Elena,

Thank you for writing to Jim.

My apologies for missing your email until now.

Checking to see you received a response to this email.

My direct email is sara@jimfornyc.com.

With thanks and best wishes,

Sara

On Tue, Mar 18, 2025 at 7:10 PM Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org> wrote:

Dear Mr. Walden,

Thank you for running for NYC mayor – and your platform of fighting corruption. You will win!

I am director and co-founder of the non-partisan, non-profit citizens’ organization, Center for Judicial Accountability, Inc. (CJA) – and have a mountain of primary-source, documentary evidence to help you – starting with your remarkable federal lawsuit that I learned of today from the Daily News’ gratuitous and outrageous editorial, "[*Toss this ballot case. No one, including mayoral contender Jim Walden, can use the Independence Party name*](#)", published yesterday.

The 2020 legislation that eliminated the Independence Party line was unconstitutional and the product of fraud – and the facts are recited by my below April 20, 2020 e-mail to the third parties that stood to lose their ballot lines, with the above three attachments – the first being my letter to Governor Cuomo from exactly five years ago today, March 18, 2020 – a letter that is presently before the Court of Appeals.

I am rushed for time right now. Call me tomorrow, after you read the below e-mail and the attachments.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200
elena@judgewatch.org

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Sent: Monday, April 20, 2020 4:59 PM

To: mjvolpe23@gmail.com; mjvolpe@venable.com; info@joinsam.org;
dmcmanus@workingfamilies.org; reply@workingfamilies.org; zteacherout@gmail.com;
zteacherout@law.fordham.edu; cpnys@nybiz.rr.com; GerardKas@msn.com;
chair@gpny.org; chair2@gpny.org; secretary@gpny.org; treasurer@gpny.org;
dunleamark@aol.com; sussman1@frontiernet.net; tdorazio@lpny.org;
tcoburn@lpny.org; akolstee@lpny.org; larry@neo-sage-forum.com;
frankmackay@yahoo.com

**Subject: GOOD NEWS FOR NY's THIRD PARTIES: You can EASILY challenge -- & win -
- a lawsuit throwing out Part ZZZ of Budget Bill #S.7508-B/A.9508-B as
UNCONSTITUTIONAL**

TO: NEW YORK'S THIRD PARTIES WITH BALLOT LINES

Serve America Movement Party
Working Families Party
Conservative Party
Green Party
Libertarian Party
Independence Party

As you know, the “force of law” recommendations of the Public Campaign Financing and Election Commission – which the Conservative and Working Families Parties succeeded in striking down in their two coordinated state court lawsuits – are now, nonetheless, “the law”, enacted by Part ZZZ of Budget Bill #S.7508-B/A.9508-B.

§10 of Part ZZZ imposes a significantly higher hurdle for parties to maintain their ballot lines – threatening the viability of each of you, except for the Conservative Party, which can seemingly meet its more rigorous qualification requirements. Yet because Part ZZZ contains a non-severability clause (§11), tying all sections together as an indivisible package, the Conservative Party would presumably join, if not lead, a lawsuit challenging Part ZZZ, so as to knock out its public campaign financing provisions, as it rightfully should.

THE GOOD NEWS, which is the purpose of this e-mail, is to advise you that it is a slam-dunk for you to bring and win a lawsuit throwing out Part ZZZ as unconstitutional, as the Center for Judicial Accountability, Inc. (CJA) can provide you with the dispositive law and legal argument you need, based on the New York State Constitution. This includes:

- (1) that Part ZZZ is policy legislation that could not be constitutionally included in Governor Cuomo’s executive budget – over and beyond its violation of Article VII, §6 because it pertains to no appropriation in the FY2020-21 budget and is not limited thereto;
- (2) that Governor Cuomo’s so-called “Article VII” Budget Bill #S.7508-A/A.9508-B, allegedly for “Transportation, Economic Development, and Environmental Conservation” – into which Part ZZZ was inserted -- was itself unconstitutional;
- (3) that the Governor Cuomo’s behind-closed-doors, “three-men-in-a-room” budget deal-making with Temporary Senate President Stewart-Cousins and Assembly Speaker Heastie, by which the Governor purported to “amend” his Article VII Bill #S.7508-A/A.9508-A, was unconstitutional;
- (4) that the Legislature’s “passage” of the “amended” Article VII Bill #S.7508-B/A.9508-B was unconstitutional and rife with statutory and legislative rule violations.

EVEN BETTER, the law and legal argument that CJA is able to provide is all embodied in open-and-shut, substantiating evidence – whose accuracy is uncontested. As illustrative, CJA’s above-attached March 18, 2020 letter to Governor Cuomo, sent to him and Legislative Leaders by the below two e-mails. Entitled "GOOD NEWS DURING THE CORONAVIRUS EMERGENCY: You Can Chuck 6 of the 7 'Article VII Bills' Because They are Unconstitutional. Here's why...", it analyzes the Governor’s “Article VII Bills” for FY2020-21 and does so in the context of the Court of Appeals’ seminal 2004 decision in *Pataki v. Assembly/Silver v. Pataki*, 4 NY3d 75, providing what appears to be the FIRST scholarship deconstructing its plurality, concurring, and dissenting opinions. As for CJA’s citizen-taxpayer actions suing Governor Cuomo and his “‘Partners in Government’ for unconstitutionality, unlawfulness, and fraud with respect to the budget” -- to which the letter refers (at p. 2) – attached are the two cited causes of action (fn. 3) pertaining to the

unconstitutionality of “three-men-in-a-room’, behind-closed-doors” budget-deal-making, *as unwritten and as applied*.

CJA’s website, www.judgewatch.org, posts the evidence, in full. For your convenience, it is accessible from a webpage I created for this e-mail entitled “*AGAIN, HELPING THE THIRD PARTIES*, this time in a successful lawsuit to strike down Part ZZZ of Budget Bill #S.7508-B/A.9508-B as unconstitutional”. This is part of a series of CJA’s webpages for the 2020 Legislative Session, accessible from our homepage’s prominent center link: “LEGISLATIVE SESSIONS: Comparing NY’s Legislature BEFORE & AFTER its Fraudulent Pay Raise”. The direct link is here: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/third-parties-good-news.htm>.

I look forward to discussing the foregoing with you, to answering your questions, and to working collaboratively on winning strategies, of nominal cost, based on law and evidence, benefiting ALL the People of the State of New York.

Needless to say, in this important 2020 election year when ALL New York’s 213 legislative seats are on the ballot, no third party should endorse or confer its valuable party line to legislative incumbents whose gross nonfeasance and misfeasance in the performance of official duties, beginning with the unconstitutionality of the FY2020-21 budget, gives rise to the lawsuit. Indeed, now, more than ever, the third parties have an opportunity to demonstrate their vital function by fielding candidates who will “blow the whistle” on the corruption of Democratic and Republican legislators, in collusion with each other. This “whistle-blowing” requires no “big bucks” or public campaign financing. It requires only that candidates honored by your party lines use the “bully-pulpits” they command by reason of their candidacies to alert voters to the self-dealing and posturing of the Democratic and Republican incumbents, as established by the evidence posted and accessible from CJA’s webpages for the 2020 Legislative Session: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/2020-session-menu.htm>. Suffice to say, there is nothing complex that the voters would not understand – and especially as to the larceny perpetrated by the Legislature’s **own** budget and the legislators’ **own** pay raises.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200

From: elena@judgewatch.org <elena@judgewatch.org>

Sent: Friday, March 20, 2020 4:00 PM

To: 'records.access@exec.ny.gov' <record.access@exec.ny.gov>

Cc: 'David.Poleto@budget.ny.gov' <David.Poleto@budget.ny.gov>; 'foil@budget.ny.gov'

<foil@budget.ny.gov>; 'perez@lbdc.state.ny.us' <perez@lbdc.state.ny.us>;
'scousins@nyenate.gov' <scousins@nyenate.gov>; 'grelick@nyenate.gov'
<grelick@nyenate.gov>; 'speaker@nyassembly.gov' <speaker@nyassembly.gov>;
'vargash@nyassembly.gov' <vargash@nyassembly.gov>; 'flanagan@nyenate.gov'
<flanagan@nyenate.gov>; 'cmills@nyenate.gov' <cmills@nyenate.gov>;
'BarclaW@nyassembly.gov' <BarclaW@nyassembly.gov>; 'herricks@nyassembly.gov'
<herricks@nyassembly.gov>; 'engelk@nyassembly.gov' <engelk@nyassembly.gov>;
'skypej@nyassembly.gov' <skypej@nyassembly.gov>; 'gianaris@nyenate.gov'
<gianaris@nyenate.gov>; 'weintrau@nyenate.gov' <weintrau@nyenate.gov>;
'griffo@nyenate.gov' <griffo@nyenate.gov>; 'kinderma@nyenate.gov'
<kinderma@nyenate.gov>; 'PeopleC@nyassembly.gov' <PeopleC@nyassembly.gov>;
'haltonl@nyassembly.gov' <haltonl@nyassembly.gov>; 'aubryJ@nyassembly.gov'
<aubryJ@nyassembly.gov>; 'hernandezd@nyassembly.gov'
<hernandezd@nyassembly.gov>; 'goodella@nyassembly.gov'
<goodella@nyassembly.gov>; 'lkrueger@nyenate.gov' <lkrueger@nyenate.gov>;
'usher@nyenate.gov' <usher@nyenate.gov>; 'seward@nyenate.gov'
<seward@nyenate.gov>; 'davie@nyenate.gov' <davie@nyenate.gov>;
'WeinstH@nyassembly.gov' <WeinstH@nyassembly.gov>; 'wamchair@nyassembly.gov'
<wamchair@nyassembly.gov>; 'ancowitzr@nyassembly.gov'
<ancowitzr@nyassembly.gov>; 'beavers@nyassembly.gov' <beavers@nyassembly.gov>;
'peakec@nyassembly.gov' <peakec@nyassembly.gov>; 'rae@nyassembly.gov'
<rae@nyassembly.gov>; 'derocht@nyassembly.gov' <derocht@nyassembly.gov>;
'lentolj@nyassembly.gov' <lentolj@nyassembly.gov>; 'morinelloa@nyassembly.gov'
<morinelloa@nyassembly.gov>; 'webere@nyassembly.gov' <webere@nyassembly.gov>

Subject: Executive Budget ... CJA's March 18, 2020 letter to Gov. Cuomo: "GOOD NEWS DURING THE CORONAVIRUS EMERGENCY: You Can Chuck 6 of the 7 'Article VII Bills' Because They are Unconstitutional. Here's why..."

MORE GOOD NEWS DURING THE CORONAVIRUS EMERGENCY

CJA's March 18, 2020 letter to Governor Cuomo "...GOOD NEWS DURING THE CORONAVIRUS EMERGENCY", sent to you by the below March 18, 2020 e-mail, is now posted on CJA's website – on a webpage now reflecting the March 18, 2020 date. The direct link is here: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/3-18-20-ltr-to-gov.htm>. According to the U.S. priority mail delivery receipt (there posted), the letter was delivered to the Governor's office this morning.

The letter, with a revised footnote 1 updating the link for the webpage, is attached. Additionally attached is the letter's single enclosure – CJA's August 21, 2013 letter to the Governor on "Achieving...a Properly Functioning Legislature..."

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200

From: elena@judgewatch.org <elena@judgewatch.org>
Sent: Wednesday, March 18, 2020 11:52 AM
To: 'records.access@exec.ny.gov' <records.access@exec.ny.gov>
Cc: 'David.Poleto@budgetny.gov' <David.Poleto@budgetny.gov>;
'perez@lbdc.state.ny.us' <perez@lbdc.state.ny.us>; 'scousins@nysenate.gov'
<scousins@nysenate.gov>; 'grelick@nysenate.gov' <grelick@nysenate.gov>;
'speaker@nyassembly.gov' <speaker@nyassembly.gov>; 'vargash@nyassembly.gov'
<vargash@nyassembly.gov>; 'flanagan@nysenate.gov' <flanagan@nysenate.gov>;
'cmills@nysenate.gov' <cmills@nysenate.gov>; 'BarclaW@nyassembly.gov'
<BarclaW@nyassembly.gov>; 'herricks@nyassembly.gov' <herricks@nyassembly.gov>;
'engelk@nyassembly.gov' <engelk@nyassembly.gov>; 'skypej@nyassembly.gov'
<skypej@nyassembly.gov>; 'gianaris@nysenate.gov' <gianaris@nysenate.gov>;
'weintrau@nysenate.gov' <weintrau@nysenate.gov>; 'griffo@nysenate.gov'
<griffo@nysenate.gov>; 'kinderma@nysenate.gov' <kinderma@nysenate.gov>;
'PeopleC@nyassembly.gov' <PeopleC@nyassembly.gov>; 'haltonl@nyassembly.gov'
<haltonl@nyassembly.gov>; 'aubryJ@nyassembly.gov' <aubryJ@nyassembly.gov>;
'hernandezd@nyassembly.gov' <hernandezd@nyassembly.gov>;
'goodella@nyassembly.gov' <goodella@nyassembly.gov>; 'lkrueger@nysenate.gov'
<lkrueger@nysenate.gov>; 'usher@nysenate.gov' <usher@nysenate.gov>;
'seward@nysenate.gov' <seward@nysenate.gov>; 'davie@nysenate.gov'
<davie@nysenate.gov>; 'WeinstH@nyassembly.gov' <WeinstH@nyassembly.gov>;
'wamchair@nyassembly.gov' <wamchair@nyassembly.gov>;
'ancowitzz@nyassembly.gov' <ancowitzz@nyassembly.gov>; 'beavers@nyassembly.gov'
<beavers@nyassembly.gov>; 'peakec@nyassembly.gov' <peakec@nyassembly.gov>;
'rae@nyassembly.gov' <rae@nyassembly.gov>; 'derocht@nyassembly.gov'
<derocht@nyassembly.gov>; 'lentolj@nyassembly.gov' <lentolj@nyassembly.gov>;
'morinelloa@nyassembly.gov' <morinelloa@nyassembly.gov>;
'webere@nyassembly.gov' <webere@nyassembly.gov>

**Subject: ...Executive Budget...GOOD NEWS DURING THE CORONAVIRUS
EMERGENCY: You Can Chuck 6 of the 7 "Article VII BILLS" Because They are
Unconstitutional. Here's why....**

TO: Governor Andrew Cuomo, Esq.
Budget Director Robert Mujica, Esq.
Legislative Bill Drafting Commission
15 Stipend-Benefitting Legislative Leaders

Senate Majority Leader Andrea Stewart-Cousins
Assembly Speaker Carl Heastie
Senate Minority Leader John Flanagan, Esq.
Assembly Minority Leader William Barclay, Esq.
Deputy Senate Majority Leader Michael Gianaris, Esq.
Deputy Senate Minority Leader Joseph Griffo
Assembly Majority Leader Crystal Peoples-Stokes
Assembly Speaker *Pro Tempore* Jeffrion Aubry
Assembly Minority Leader *Pro Tempore* Andrew Goodell, Esq.
Senate Finance Committee Chair Liz Krueger
Senate Finance Committee Ranking Member James Seward
Assembly Ways and Means Committee Chair Helene Weinstein,

Esq.

Assembly Ways and Means Ranking Member Edward Ra, Esq.
Assembly Codes Committee Chair Joseph Lentol, Esq.
Assembly Codes Committee Ranking Member Angelo Morinello, Esq.

Attached is my above-entitled letter of today's date to Governor Cuomo, the original of which will be mailed to him. All others are indicated recipients, for the reasons stated in the last paragraph (at p. 13).

Due to a catastrophic computer breakdown, on this end, I am presently unable to post the letter on CJA's website, www.judgewatch.org and to update the site. The webpage for the letter – which had been prepared two days ago, before the breakdown – is here – reflecting the letter's then March 16, 2020 date: <http://www.judgewatch.org/web-pages/searching-nys/2020-legislative/3-16-20-ltr-to-gov.htm>. From the webpage you can access the letter's referred to-documentary proof – and its sole enclosure: my August 21, 2013 letter to the Governor, entitled "Achieving BOTH a Properly Functioning Legislature & Your Public Trust Act (Program Bill #3) – the *Sine Qua Non* for 'Government Working' & 'Working for the People'", to which I received no response.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200