



NINTH JUDICIAL COMMITTEE

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White Plains, New York 10605-0070
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December 18, 1992

President J. Michael McWilliams
American Bar Association
750 North Lake Shore Drive
Chicago, Illinois 60611

RE: Ninth Judicial Committee's Critique of
the Nomination of Andrew O'Rourke to the
District Court (Second Circuit)

Dear President McWilliams:

We are surprised to have heard nothing from you regarding our
November 11th letter--a copy of which is enclosed for your
convenience.

Our request was extremely straightforward: whether Rule 8.2(a)
of the ABA's Rules of Professional Conduct applies to the ABA's
Standing Committee on Federal Judiciary.

As stated by our letter,

"In the event the ABA leadership does not recognize its
obligation to retract a rating it knows to be false, we
ask that you, as ABA President, refer our critique and
all correspondence relative thereto to the ABA's
Standing Committee on Ethics and Professional
Responsibility with a request for a formal opinion."
(at p. 2, emphasis in the original)

Kindly advise us whether this matter has, in fact, been referred
to the Standing Committee on Ethics and Professional
Responsibility.

Yours for a quality judiciary,

ELENA RUTH SASSOWER
Coordinator, Ninth Judicial Committee

Enclosure: 11/11/92 ltr

cc: Chairman Joseph Biden, Senate Judiciary Committee
Irene R. Emsellem, Staff Liaison, ABA Standing Committee
on Federal Judiciary

Ex "J"