

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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December 26, 2017

TO: First Judicial Department Attorney Grievance Committee
ATT: Jorge Dopico, Chief Attorney

Third Judicial Department Attorney Grievance Committee
ATT: Monica Duffy, Chief Attorney

FROM: Elena Ruth Sassower, Director
Center for Judicial Accountability, Inc. (CJA)

RE: **STATUS REQUEST & UPDATE:** CJA's September 16, 2017 conflict of interest/misconduct complaint against Attorney General Eric Schneiderman & his complicit attorney staff for their knowing and deliberate violations of New York's Rules of Professional Conduct, corrupting the judicial process in the citizen-taxpayer action *Center for Judicial Accountability, Inc. v. Cuomo, ...Schneiderman, et al.* (Albany Co. #5122-16) – & in its predecessor (Albany Co. #1788-14)

Please advise as to the status of my September 16, 2017 conflict-of-interest/misconduct complaint against New York State Attorney General Eric Schneiderman and his complicit attorney staff.

On October 13, 2017, I called to verify the status. In response to my inquiry to the First Judicial Department Attorney Grievance Committee as to whether it was not their practice to send out an acknowledging postcard, I was told that I would be getting one soon. A postcard did arrive, postmarked October 13, 2017, from the "Office of the Chief Attorney", assigning three numbers to my complaint: 17-2050, 17-2051, and 17-2052, and stating, "Due to the volume of complaints filed in this office, it may take some time for our office to forward further information to you about the status of your complaint. Thank you for your patience." As yet, nearly 2-1/2 months later, I have received no "further information".

As for the Third Judicial Department's Attorney Grievance Committee, I was told, on October 13, 2017, that the complaint was "under review by the Chief Attorney". I received no acknowledging postcard then or thereafter. Nor have I received anything else, including notice of any disposition of my July 28, 2017 reconsideration/FOIL request to the chair of the Third Department's Attorney Grievance Committee pertaining to my October 14, 2016 conflict-of-interest/misconduct complaint against Albany District Attorney P. David Soares and 29 other current and former district attorneys within its jurisdiction – identified by my September 16, 2017 completed complaint form as related.

By way of update, the September 16, 2017 complaint lists, at page 5, the four analyses establishing the fraudulence of the motion papers of AAG Kerwin and AAG Lynch in the citizen-taxpayer action before Judge Hartman and states:

“The accuracy of these four analyses, each a road-map of the state of the record before Judge Hartman, is entirely undenied and undisputed by AAG Kerwin, by AAG Lynch, by defendant Attorney General Schneiderman, and by his supervisory and managerial attorneys. Their accuracy is also entirely undenied and undisputed by Judge Hartman, excepting the analysis presented by plaintiffs’ August 25, 2017 reply memorandum of law, still *sub judice* before her.”

The analysis furnished by plaintiffs’ August 25, 2017 reply memorandum of law is no longer *sub judice*. By a November 28, 2017 decision and judgment, Judge Hartman disposed of the case, without denying or disputing its accuracy in any respect.

As you already know from page 5, the four analyses of AAG Kerwin and Lynch’s motion papers in the second citizen-taxpayer action are posted on CJA’s webpage for the complaint, as are the five analyses of AAG Kerwin’s motion papers in the first citizen-taxpayer action. The webpage is conveniently accessible from CJA’s homepage, www.judgewatch.org, via the prominent link “CJA’s Citizen-Taxpayer Actions to End NYS’ Corrupt Budget ‘Process’ & Unconstitutional “Three Men in a Room” Governance” – which brings up a menu page that includes FIGHTING BACK! – Complaints to Supervisory, Disciplinary & Criminal Authorities”. The direct link is here: <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/complaints-notice/9-16-17-attorney-disciplinary-complaint.htm>.

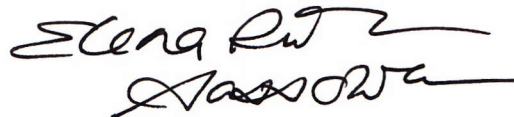
Likewise, there accessible, are Judge Hartman’s November 28, 2017 decision and judgment, my analysis of it – and her three prior decisions and my three analyses of them. All are conveniently posted on CJA’s webpage for the June 16, 2017 conflict-of-interest/corruption complaint I filed with the Commission on Judicial Conduct against Judge Hartman. As my September 16, 2017 complaint to you annexed that Commission complaint and my September 11, 2017 supplement thereto, enclosed is my letter of today’s date to the Commission, constituting a second supplement.

Plainly, just as the Commission’s duties with respect to Judge Hartman are reinforced by her corrupt November 28, 2017 decision and judgment, purposefully concealing, *without adjudication*, the threshold integrity issues of Attorney General Schneiderman’s flagrant violations of conflict-of-interest rules, professional responsibilities, and litigation fraud – chronicled by plaintiffs’ August 25, 2017 reply memorandum of law – so, too, does it reinforce the Committees’ duties with respect to Attorney General Schneiderman and his staff attorneys, who she “protected” to the end.

Suffice to say, based on plaintiffs’ unchallenged August 25, 2017 memorandum of law, my reply affidavit that accompanied it, and the record of the citizen-taxpayer action on which they rest, that Attorney General Schneiderman and his culpable attorneys KNOW, without need of any analysis,

that the November 28, 2017 decision and judgment is a judicial fraud – and that their duty is to secure its vacatur and Judge Hartman's removal from the bench. Nevertheless, they have sought to benefit from it: entering it in the records of the Albany County Clerk on December 8, 2017 and then serving it on plaintiffs with a December 12, 2017 notice of entry. Such must be a further specific in the petition of disciplinary charges you bring against them.

Thank you.

Handwritten signature of Elena Rut, with a second signature below it that appears to be "Jason Brown".

Enclosure: CJA's December 26, 2017 letter to the Commission on Judicial Conduct
(w/o November 28, 2017 decision and judgment & analysis thereof,
which are accessible from website)

cc: New York State Commission on Judicial Conduct

New York State Attorney General Eric Schneiderman
Chief Deputy Attorney General Jason Brown
Chief Deputy Attorney General Janet Sable
Executive Deputy Attorney General for State Counsel Kent Stauffer
Deputy Attorney General Meg Levine
Litigation Bureau Chief Jeffrey Dvorin
Assistant Attorney General Adrienne Kerwin
Assistant Attorney General Helena Lynch