

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewidth.org>
Sent: Friday, July 20, 2018 3:44 PM
To: 'AD3agc@nycourts.gov'
Subject: ATT: Chief Attorney Monica Duffy: CJA v Cuomo, et al -- order to show cause, with preliminary injunction & TRO, to be presented July 24th at the Appellate Division, 3rd Dept.
Attachments: 7-20-18-osc-preliminary-injunction-tro-draft-am.pdf; 7-20-18-affidavit-final-am.pdf

TO: Third Department Attorney Grievance Committee Chief Attorney Monica Duffy –

Thank you for your return phone call -- & the generous amount of time you gave to our conversation.

As discussed, below is the e-mail I sent several hours ago to the Appellate Division & the Attorney General, attaching the above final draft of an order to show cause, with preliminary injunction and TRO I hope to present this Tuesday, July 24th, identifying the attorney misconduct complaints I had filed with the 3rd Department Attorney Grievance Committee, germane to the perfected appeal and order to show cause – and requesting as “other and further relief”, investigation of what had gone on with their handling.

I will, of course, reflect in the finalized order to show cause our phone conversation and such further communication as I receive from you on Monday.

Do let me know if, when I am in Albany, it would be helpful to you if I dropped off at the Grievance Committee a copy of the appeal brief and reproduced record on appeal in support of the complaints – or whether it suffices that I am furnishing 10 copies of the brief and reproduced record to the Appellate Division.

Again, thank you.

Elena Sassower
914-421-1200
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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewidth.org>
Sent: Friday, July 20, 2018 12:20 PM
To: 'jlandes@nycourts.gov' <jlandes@nycourts.gov>
Cc: 'Brodie, Frederick' <Frederick.Brodie@ag.ny.gov>; 'Paladino, Victor' <Victor.Paladino@ag.ny.gov>; 'Barbara.Underwood@ag.ny.gov' <Barbara.Underwood@ag.ny.gov>; 'Janet.Sabel@ag.ny.gov' <Janet.Sabel@ag.ny.gov>; 'Kent.Stauffer@ag.ny.gov' <Kent.Stauffer@ag.ny.gov>; 'Meg.Levine@ag.ny.gov' <Meg.Levine@ag.ny.gov>; 'Jeffrey Dvorin' <Jeffrey.Dvorin@ag.ny.gov>; 'Adrienne Kerwin' <Adrienne.Kerwin@ag.ny.gov>; 'Helena.Lynch@ag.ny.gov' <Helena.Lynch@ag.ny.gov>; 'Brian.Mahanna@ag.ny.gov' <Brian.Mahanna@ag.ny.gov>; 'Alvin.Bragg@ag.ny.gov' <Alvin.Bragg@ag.ny.gov>; 'marty.mack@ag.ny.gov' <marty.mack@ag.ny.gov>; 'Matthew.Colangelo@ag.ny.gov' <Matthew.Colangelo@ag.ny.gov>; 'Margaret.Garnett@ag.ny.gov' <Margaret.Garnett@ag.ny.gov>; 'manisha.sheth@ag.ny.gov' <manisha.sheth@ag.ny.gov>

Subject: CJA v Cuomo, et al -- order to show cause, with preliminary injunction & TRO, to be presented July 24th at the Appellate Division, 3rd Dept.

TO: Appellate Division, 3rd Department Court Attorney Jane Landes

As discussed over the past several weeks – and now fully drafted – attached is appellants’ order to show cause with moving affidavit which, if convenient for the Court, I will be presenting on Tuesday, July 24th, for oral argument on the TRO.

I will await your advice as to what changes, if any, must be made as to form. Other than that, I anticipate there will be only minor revisions and pertinent updating in what I will be presenting to the Court.

In view of the serious and substantial nature of what is involved, both on the appeal and by the order to show cause, I am cc’ing, in addition to Assistant Solicitor General Frederick Brodie and his immediate supervisor Assistant Solicitor General Victor Paladino, Attorney General Underwood and her high-ranking supervisory/managerial attorneys so that they can ensure that their own interests and the divergent “interest of the state” are properly represented. It is my position, recited in my moving affidavit, that Attorney General Underwood herself should be present at the oral argument of the TRO – “or some top-ranking deputy, designated by her” – and by this e-mail I hereby give reiterated NOTICE.

For the convenience of all, the attached order to show cause and moving affidavit, with its substantiating exhibits – and appellants’ incorporated July 4, 2018 appellate brief and reproduced record on appeal – will be shortly posted on CJA’s website, www.judgewatch.org, on a specially created webpage. The direct link is here:
<http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2nd/7-24-18-osc-with-TRO.htm>.

Thank you.

Elena Sassower, unrepresented plaintiff-appellant
on her own behalf individually & as Director of the Center for Judicial Accountability, Inc.,
and on behalf of the People of the State of New York & the Public Interest
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