

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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Elena Ruth Sassower, Coordinator

BY FAX, E-MAIL, & BY-HAND (2 pages)

DATE: February 3, 2006

TO: Arthur Sulzberger, Jr.
Bill Keller
Jill Abramson
Allan M. Siegal
Gail Collins, individually and for the Editorial Board
Byron Calame
Marek Fuchs

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

RE: Service of Summons with Notice:
Sassower, et al. v. The New York Times Company, et al.

Notwithstanding The New York Times Company Legal Department has not denied or disputed that "the legal department of *any reputable corporation*" would promptly cooperate with arrangements for service of process, it refuses to make normal and customary arrangements for our service of the summons with notice upon The New York Times Company, The New York Times, and upon you – all defendants in the above-entitled action. This and other unprofessional and bad-faith conduct has been countenanced by no less than the Company's Chief Legal Officer, Senior Vice President Solomon B. Watson, IV, and by the Company's Corporate Compliance Officer, who is also its Secretary and Senior Counsel, Rhonda L. Brauer. Our exchange of correspondence with them is posted on our website, www.judgewatch.org – accessible via the sidebar panel "Press Suppression – The New York Times".

We now directly turn to you for purposes of making appropriate arrangements for service of the summons with notice. As Mr. Sulzberger is both Chairman of The New York Times Company and Publisher of The New York Times, he is capable of accepting service for each, pursuant to CPLR 311(a)(1) – as well as of receiving personal service for himself, pursuant to CPLR 308(1). The other individual named defendants can also accept personal service for themselves pursuant to CPLR 308(1).

February 3, 2006

We would like to effect such personal service of the summons with notice next Wednesday, February 8th. Therefore, please advise by e-mail (judgewatchers@aol.com) and/or fax (914-428-4994) by 5:00 p.m. Monday, February 6th as to a time when you would be available – or propose an alternative date and time when it would be convenient for you. If you are not willing to accept personal service, please confirm that 229 West 43rd Street, New York, New York 10036 is your “actual place of business” so that we can effect “substituted service”, pursuant to CPLR 308(2).

As for The Times’ former public editor Daniel Okrent, also a named defendant, the Legal Department has refused to provide us with his business phone number and address. We will, therefore, now telephone him at what we believe to be his home number (212-877-1230), obtained from directory assistance, so as to appropriately arrange for service of process upon him pursuant to either CPLR 308(1) or (2).

Thank you.

Yours for a quality judiciary
and responsible journalism,

A handwritten signature in cursive script, reading "Elena Ruth Sassower".

ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc. (CJA)

cc: Solomon B. Watson, IV, Senior Vice President & Chief Legal Officer
Rhonda L. Brauer, Secretary, Corporate Compliance Officer & Senior Counsel
Eli Vigliano, Esq.