

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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April 30, 2025

TO: Appellate Division, Second Department Attorney Grievance Committee
for the Second, Eleventh, and Thirteenth Districts (AD2-AGC2)
Chair Angelicque M. Moreno, Esq.

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

RE: (1) Full Committee Reconsideration – File No. K-343-25 – CJA’s February 27, 2025 conflict-of-interest/corruption complaint against Commission on Legislative, Judicial and Executive Compensation Attorney-Member Helene Blank, Esq.;

(2) Complaint against Staff Counsel Michael D’Ambrosio, Chief Counsel David Chandler, and other attorney staff collusive in their fraud and conflicts of interest;

(3) Oversight & Corrective Action by Committee Members, including pursuant to Rule 8.3(a) of New York’s Rules of Professional Conduct.

This follows my [April 25, 2025 e-mail](#) to you and other Committee members bearing the subject line: “CORRUPTION at AD2/AGC2-11-13...”, alerting you that I had received no response to [CJA’s February 27, 2025 complaint against Commission on Legislative, Judicial and Executive Compensation Attorney Member Helene Blank](#) – “a Kings County Attorney”.¹

Unbeknownst to me, two days earlier, Staff Counsel Michael D’Ambrosio had apparently signed and posted by regular mail an [April 23, 2025 letter](#), disposing of the complaint. Yesterday, I received it and now file this written request for full Committee reconsideration pursuant to [§1240.7\(e\)\(3\) of the Rules for Attorney Disciplinary Matters](#), transmitting it by an e-mail also bearing a subject line: “CORRUPTION at AD2/AGC2-11-13...”.

Without revealing my right to seek reconsideration, Mr. D’Ambrosio states:

“This letter acknowledges receipt of your complaint dated February 27, 2025, regarding a Kings County attorney.

The function of this Committee is to investigate and prosecute acts of professional misconduct committed by attorneys. When a complaint is received, it is reviewed to determine if it involves behavior which could constitute professional misconduct by the attorney. An attorney may be found guilty of professional misconduct if it can be

¹ CJA’s webpage for this February 27, 2025 complaint is: <https://www.judgewatch.org/web-pages/searching-nys/attorney-discipline/feb-27-2025-complaint/ad2-agc.htm>.

proved that an ethical rule or law was violated. If there is a sufficient basis to conduct an investigation, the Committee will do so. Otherwise, no action will be taken. However, there are instances where the Committee may decline to pursue an investigation due to other factors.

The issues you raise are more appropriate for resolution by a court of law or through other available legal remedies. As the Committee is not permitted to give legal advice or act as your attorney, you may wish to consult an attorney of your own choosing to discuss your concerns.

Although your efforts are appreciated, the Committee is unable to assist you. However, at the conclusion of all legal proceedings, if a decision is made indicating a finding of misconduct on the part of the attorney, you may renew your complaint with the Committee for further consideration.” (underlining added).

Concealed by Staff Attorney D’Ambrosio’s use of the word “Committee” six times – combined with his failure to cite to ANY legal authority – is that the disposition he recites has NOT been made by the “Committee”, as he misleadingly infers, but by Chief Counsel David Chandler, as only he is authorized to “decline to investigate a complaint” pursuant to [§1240.7\(d\)\(i\)](#)².

Presumably Chief Counsel Chandler did not sign the letter because its stated reason for declining to investigate the February 27, 2025 complaint is inconsistent with the reason he stated last year by the [February 8, 2024 letter](#) he signed as staff counsel to then Chief Counsel Diana Maxfield Kearse, disposing of [CJA’s comparable January 29, 2024 complaint](#) against this same “Kings County attorney”. That reason was:

“After a review, it has been determined that your claims do not state a complaint of professional misconduct warranting an investigation by the Committee.”

This was a “flagrant LIE” – and I stated and proved it by my [March 9, 2024 letter for full Committee reconsideration](#), which I combined with a complaint against Mr. Chandler, Ms. Kearse, and “attorney staff collusive in their fraud and conflict of interest”³, and further requesting Committee oversight and corrective action. A month later, by [an April 12, 2024 e-mail](#), I sent it directly to then Chair Andrea Bonina and Committee members for whom I had e-mail addresses, yourself among

² §1240.7(d)(1)(i) reads:

“The Chief Attorney may, after initial screening, decline to investigate a complaint for reasons including but not limited to the following: (A) the matter involves a person or conduct not covered by these Rules; (B) the allegations, if true, would not constitute professional misconduct; (C) the complaint seeks a legal remedy more appropriately obtained in another forum; or (D) the allegations are intertwined with another pending legal action or proceeding. The complainant shall be provided with a brief description of the basis of any disposition of a complaint by the Chief Attorney.” (underlining added).

³ The collusive attorney staff may have included Mr. D’Ambrosio, whose name is on the February 8, 2024 letterhead as a “Staff Counsel”.

them, and to Court Inspector General Kay-Ann Porter Campbell, with the subject line:

“Corruption at AD2-AGC-2-11-13 – LYING that a complaint vs an attorney member of the Commission on Legislative, Judicial & Executive Compensation for penal law violations that are automatically disbarable ‘does not state a complaint...’”.

As for [Mr. D’Ambrosio’s April 23, 2025 letter](#), its assertion “The issues you raise are more appropriate for resolution by a court of law or through other available legal remedies” is ALSO a flagrant LIE. Tellingly, he provides NO specificity as to the supposed “issues” or anything else – reflective of his knowledge that NO “court of law” can discipline Ms. Blank for her willful and deliberate violations of New York’s Code of Professional Conduct, let alone disbar her, absent this Committee’s proffering charges and NO “other available legal remedies” exist for disbaring Ms. Blank that do not involve this Committee.

Absent your disagreement – and elaborating particulars with respect to same – it is the Committee’s duty to proceed with investigation of Ms. Blank’s violations of New York’s Code of Professional Conduct that is the basis for CJA’s February 27, 2025 complaint against her.

Identically to the “professional misconduct” that was the subject of [CJA’s January 29, 2024 complaint](#), the “professional misconduct” that is the subject of [CJA’s February 27, 2025 complaint](#) constitutes penal law violations, including felonies which, upon conviction after a trial or by a plea, result in automatic disbarment, pursuant to [Judiciary Law §§90\(4\)\(a\) and \(e\)](#). Among these, [Penal Law §175.35](#): “Offering a false instrument for filing in the first degree”:

“a long-recognized ground for disbarment, utilized by this Committee to procure automatic disbarment for analogous federal charges. And the cases from which this is evident include the Appellate Division, Second Department’s 2017 decision in [Matter of Gnoleba Seri](#), involving an application for automatic disbarment made by [prior] Chief Counsel Kearse, with Mr. Chandler “of counsel”, with citations to the Court of Appeals 1977 decision in [Matter of Chu, 42 NY2d 490](#) and to its own decisions involving this Committee in [Matter of Tsirlina, 127 AD3d 1](#) (2015), [Matter of Gupta, 123 AD3d 164](#); (2014), and [Matter of Mengfei Yu, 117 AD3d 143](#) (2014).”

This is the true reason why the February 27, 2025 complaint, like the January 29, 2024 complaint, was not investigated – as the “first investigative step, pursuant to §1240.7(b)(2),⁴” would be to “direct [Ms. Blank] to provide a written response to the complaint”. This would seal her fate because the [February 3, 2025 Opposition Report](#) underlying the February 27, 2025 complaint – like the [January 18, 2024 Opposition Report](#) underlying the January 29, 2024 complaint – “establishes the penal law violations by evidence so *prima facie* and open-and-shut that there is NO defense to them”. Ms. Blank would have “only one viable option: concede the truth of the Opposition Report and accept disbarment.”

⁴ §1240.7(b)(2) authorizes the Chief Attorney to “direct the respondent to provide a written response to the complaint, and to appear and produce records before the Chief Attorney or a staff attorney for a formal interview or examination under oath”.

Echoing my [March 9, 2024 letter](#) (at p. 5), I have no objection to the Committee referring the February 3, 2025 Opposition Report to Attorney General Letitia James, Brooklyn District Attorney Eric Gonzalez, or Albany County District Attorney Lee Kindlon for purposes of securing the criminal conviction or guilty plea for the automatic disbarment the February 3, 2025 Opposition Report mandates. Presumably, the Committee's procedure is to make such criminal referrals AFTER receipt of Ms. Blank's "written response" to the Opposition Report.

Referrals to "proper law enforcement authorities" would be in keeping with what prior Chair Bonina stated last year in denying my March 9, 2024 letter for reconsideration, which she did by a [May 10, 2024 letter](#) that presumably she did not write – and to which Committee members and Inspector General Porter Campbell were not cc'd. Falsely purporting that "a thorough review of the file was performed" and that I had provided "no new information which would warrant a different determination" and that "there is still no basis for an investigation by this Committee", her May 10, 2024 letter disingenuously stated:

"Moreover, to the extent that your letter contains allegations of criminal conduct, you are free to bring those allegations to the attention of the proper law enforcement authorities." (underlining added).

There was nothing "to the extent" about the "allegations of criminal conduct" contained by my March 9, 2024 letter, quoting from [CJA's January 29, 2024 complaint](#) as to Ms. Blank's:

"violations of [New York's Rules of Professional Conduct](#) and, specifically, Rule 8.4 'Misconduct' and Rule 8.3 'Reporting Professional Misconduct', over which the Appellate Division Attorney Grievance Committees have jurisdiction",

arising from her "knowing and deliberate violations of, *inter alia*:

- [Public Officers Law §74](#) 'Code of Ethics';
- [Penal Law §175.35](#): 'Offering a false instrument for filing in the first degree';
- [Penal Law §195](#): 'Official misconduct';
- [Penal Law §105.15](#): 'Conspiracy in the second degree';
- [Penal Law §20.00](#): 'Criminal liability for conduct of another';
- [Penal Law Article 496: 'PUBLIC TRUST ACT'](#) –
 - [§496.06](#): 'Public corruption';
 - [§496.05](#): 'Corrupting the government in the first degree'".

[CJA's February 27, 2025 complaint](#) is identically EXPLICIT.

As ALL Committee members are responsible for the frauds perpetrated in its name, I request that you promptly forward this letter to ALL members so that they can discharge their duties, including pursuant to [Rule 8.3\(a\) of New York's Rules of Professional Conduct](#),⁵ which you and they are charged with enforcing.

I am available to answer questions under oath. Meantime, please deem the foregoing as sworn by me as true under penalties of perjury.

By copy of this letter to [Court Inspector General Porter Campbell](#), whose office has jurisdiction over the Appellate Division Attorney Grievance Committees, I call on her to take belated investigative and corrective action, as is her duty.

Thank you.

s/Elena Ruth Sassower

cc: UCS Inspector General Kay-Ann Porter Campbell

⁵ Rule 8.3, entitled "Reporting Professional Misconduct", states, in mandatory terms, by its paragraph (a):

"A lawyer who knows that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness or fitness as a lawyer shall report such knowledge to a tribunal or other authority empowered to investigate or act upon such violation." (underlining added).