

"Moreland defense fees set to top \$1 million", Capital New York, Jimmy Vielkind; December 16, 2014: 1:18 pm

Comment by Elena Sassower: posted at about 7 pm and about 1 am

There's a big scandal here about the "legal contracts".

The links to the Comptroller's "Open Book" show that the law firms Kirkland & Ellis and Loeb & Loeb started their services in September 2013, but that the contracts were not "Approved/Filed" until November 10, 2014 -- the same date as the most recent amendment upping the contract for the Kasowitz law firm by \$490,000.

Why three law firms? Are these contracts, belated and otherwise, and the amendments legitimate? And is the money being spent consistent therewith?

Insight into the unlawfulness of these law firm's purported representation of the Legislature in litigation that has cost New York taxpayers so many hundreds of thousands of dollars is the subject of court challenge, which I have brought on behalf of the People of the State of New York & the Public Interest. It is accessible from the homepage of the Center for Judicial Accountability's website, www.judgewatch.org, via the prominent link "Exposing the Fraud of the Commission to Investigate Public Corruption". It leads to a menu with a link to our intervention in the declaratory judgment action against the (Moreland) Commission to Investigate Public Corruption. Click on it -- and go to my June 17, 2014 reargument/vacatur for fraud motion. You'll want to examine my September 26, 2014 reply affidavit (paras. 2-3, 7-33) and my September 26, 2014 reply memorandum of law (pp. 1-2, 4-8). Here's the direct link: <http://www.judgewatch.org/web-pages/searching-nys/commission-to-investigate-public-corruption/holding-to-account/6-17-14-reargument.htm>.

Feel free to call me for further information, etc.

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Moreland defense fees set to top \$1 million



By Jimmy Vielkind 1:18 p.m. | Dec. 16, 2014

ALBANY—New York taxpayers are on track to spend over \$1 million to help state lawmakers keep details of their outside jobs secret.

According to data released by the state comptroller's office, a firm hired by Assembly Speaker Sheldon Silver was paid an additional \$397,000 in November for its work to quash subpoenas originally issued by the now-defunct Moreland Commission to Investigate Public Corruption. Leaders of the State Senate's Republican and Independent Democratic Conference also filed legal contracts for the same purpose totaling \$300,000.

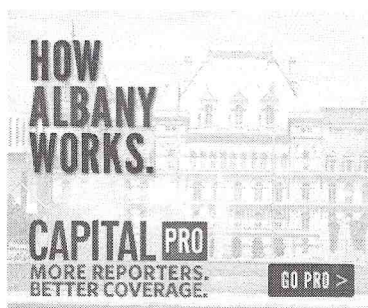
Silver, a Democrat who represents Lower Manhattan, hired Kasowitz, Benson, Torres & Friedman to support several private law firms—including Weitz & Luxenberg, where he is of counsel—that employ legislators as they resisted the Moreland Commission's subpoenas.

Commission investigators sent subpoenas to 30 businesses—ranging from big law firms to a Rochester coffee shop—saying that outside employment raised the “risk of criminal behavior” by the state's 213 legislators, whose official duties are technically part-time. Since 2011, lawmakers have disclosed their outside earnings within narrow bands, but lawyer-legislators do not need to list their clients. (Clients with business before the state are required to declare any business relationships.)

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The businesses banded together to fight the subpoenas, which sought client lists, time cards and other details that investigators wanted in order to gauge exactly what work lawmakers were doing in exchange for their outside earnings. The firms argued that Moreland's efforts violated the constitutional separation of powers and would breach attorney-client privilege.

There's a line between highly-compensated labor and a sham consulting agreement, though exactly where it exists in the eyes of the law as opposed to the public was complicated by the exoneration of former Senate Majority Leader Joe Bruno earlier this year.

And state lawmakers rushed to join their employers' fight to evade disclosure, filing

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briefs in support of efforts to keep details of their side jobs secret. (Some, including Assembly members Harry Bronson, Aravella Simotas and Tony Jordan as well as State Senator Mark Grisanti and the chamber's mainstream Democrats, complied with the subpoenas.)

Silver extended the Assembly's defense contract from \$55,000 to \$845,000, most recently in November. Senate Republican leader Dean Skelos and Independent Democratic Conference leader Jeff Klein had previously agreed to contracts that paid Michael Garcia of Kirkland & Ellis a sum of \$150,000 and the firm of Loeb & Loeb \$150,000 for their respective defense.

The Moreland Commission was shuttered in April, but U.S. Attorney Preet Bharara has seized its files and is pushing ahead. He has reportedly issued fresh subpoenas seeking details about Silver, Skelos and Klein's outside income. Silver said this week that the \$650,000 he made doing legal work in 2013 came in part from clients who retained him outside of Weitz & Luxenberg.

Spokespeople for Silver, Skelos and Klein did not immediately say whether the ongoing contracts covered Bharara's probe.

Lawmakers are paid \$79,500 a year for their official services, but legislative leaders receive additional stipends for their positions. They are currently pushing to raise their salaries, which last rose in 1998.

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Author: Jimmy Vielkind

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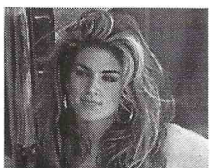
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