

## Center for Judicial Accountability, Inc. (CJA)

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**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>  
**Sent:** Friday, January 10, 2020 3:33 PM  
**To:** 'gregdavid49@gmail.com'  
**Subject:** Correction & Investigative Reporting -- Your column "Cuomo needs to be honest about the budget gap: A guide to how NY created its budget crisis" (1/9/20 Crain's' NY Business)  
**Attachments:** 8-21-19-nylj-ltr.pdf; nys-constitution-article7-sections-1-7-and-article4-section7.pdf

TO: Greg David/Columnist-Crain's New York Business  
Director-Business & Economics Reporting Program/CUNY Graduate School of Journalism

Cuomo needs to be "honest" about more than "the budget gap": <http://drupal.prod.craainsnewyork.com/greg-david-new-york/cuomo-needs-be-honest-about-budget-gap>.

He needs to be honest" about the ENTIRETY of the budget, as it is "OFF THE CONSTITUTIONAL RAILS". This is laid out in a landmark citizen-taxpayer action, now at the Court of Appeals, suing Cuomo, as its first defendant, for corruption with respect to the budget. His fellow defendants are New York's Legislators, the Attorney General, Comptroller, and Chief Judge.

The lawsuit, brought by our non-partisan, non-profit citizens' organization, Center for Judicial Accountability, Inc. (CJA), on behalf of the People of the State of New York, has been completely unreported by the press, other than by a September 11, 2017 column in the Riverhead Local: <https://riverheadlocal.com/2017/09/11/greg-blass-suffolk-da-came-highest-paid-elected-official-county-can/>, and by my own letter to the editor, published by the New York Law Journal on August 21, 2019 – a copy of which is attached.

Why not take the lead in reporting on the lawsuit – especially as it will enable you to correct a **SIGNIFICANT ERROR IN YOUR YESTERDAY'S COLUMN** wherein you suggest a scenario of Cuomo "veto[ing] the eventual budget". That is NOT constitutionally possible. Pursuant to Article VII, §4 of the New York Constitution – which, for your convenience, I've attached with other constitutional provisions – New York has a rolling budget. The Senate and Assembly amend the Governor's appropriation bills by either striking out or reducing the items therein and once they reconcile the differences between their versions, each appropriation bill becomes "a law immediately without further action by the governor".

CJA's website, [www.judgewatch.org](http://www.judgewatch.org), posts the lawsuit record, accessible from the prominent homepage link "CJA's Citizen-Taxpayer Actions to End NYS' Corrupt Budget 'Process' & Unconstitutional 'Three-Men-in-a-Room' Governance". The direct link to the September 2, 2016 verified complaint is here: <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2nd/supreme-ct/9-2-16-osc-verified-complaint.htm>. The direct link to the March 29, 2017 verified supplemental complaint is here: <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2nd/supreme-ct/3-29-17-osc.htm>. From the record, you can readily verify that we have a *prima facie*, open-and-shut entitlement to summary judgment on all ten of our causes of action – and that the ONLY reason we have not obtained it is because the Attorney General and judges have corrupted the judicial process with fraud, including at the Court of Appeals: <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2nd/record-ct-of-appeals.htm>.

The lawsuit is monumental, politically-explosive – and will go far in enabling you to furnish "A guide to how NY created its budget crisis". Although I offer the story to you – and, through you, to Crain's New York Business – I also request, inasmuch as you are Director of the Business & Economics Reporting Program at CUNY's Graduate School of Journalism,

your help in furnishing it to journalism students within the Program and at the School for their investigation and reporting. For sure, it is a prize-winner and a bonanza for those interested in legal and political reporting.

Please let me hear from you, as soon as possible. Time is of the essence.

Thank you.

Elena Sassower, Director  
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[www.judgewatch.org](http://www.judgewatch.org)

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