

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewidth.org>
Sent: Thursday, June 3, 2021 9:00 AM

To: susan.arbetter@charter.com; cbragg@timesunion.com; rcabral-mota@univision.net; jcampbell1@gannett.com; ccappabianca@news10.com; DanClarkReports@Gmail.com; DarrellCampReports@gmail.com; kclukey@bloomberglaw.com; gwen@adirondackexplorer.org; kdewitt@wxxi.org; kdewitt9@gmail.com; luis.ferre@nytimes.com; zack.fink@charter.com; news@cbs6albany.com; mfrench@politico.com; afries@timesunion.com; michael.gormley@newsday.com; agronewold@politico.com; bhogan@nypost.com; khughes@nysnys.com; RKarlin@TimesUnion.com; shaneking@statewatch.com; editor@cityandstateny.com; klisa@columbiagreenemedia.com; David.lombardo@wcny.org; BLyons@TimesUnion.Com; Jmahoney@cnhi.com; billmahoney@politico.com; morgan.mckay@charter.com; Edward.Mckinley@timesunion.com; jemcki@nytimes.com; mmikati@columbiagreenemedia.com; rnavarro@statewatch.com; nniedzwiadek@politico.com; mikep@statewatch.com; tprecious@buffnews.com; nick.reisman@charter.com; yancey.roy@newsday.com; dslattery@nydailynews.com; jspector@gannett.com; astankus@statewatch.com; maryfrancis.stout@charter.com; rtarinelli@alm.com; capitolpressroom@wcny.org; JVelasquez@thecity.nyc; jimmy.vielkind@wsj.com; MVilleneuve@ap.org; zwilliams@cityandstateny.com

Subject: **ALERT: Is the Senate dispensing with confirmation hearings on the nominations of Singas & Cannataro to the Court of Appeals? Or are the hearings to be without public notice, without opposition testimony, & without prior vetting of EVIDENCE?**

Attachments: [1-15-21-foil-hoylman-complaint.pdf](#)

TO: Legislative Correspondents Association Reporters

According to Yancey Roy's article "[Progressives seek to block Singas' nomination to state's highest court](#)", posted on [Newsday's](#) website in the early evening yesterday and appearing in its today's newspaper (at A8):

"Democrats, who control 43 of the 63 Senate seats, were expected to discuss the Singas nomination in a closed-door meeting this week. Officials have told Newsday the Senate could vote on the nomination on June 9, one day before the scheduled end of the 2021 session of the State Legislature."

No mention of **any** Senate Judiciary Committee confirmation hearing on her nomination – or on the nomination of Cannataro. Is the Senate planning to dispense with confirmation hearings – and move

directly to a vote? Or will the hearings be **without** public notice, **without** opposition testimony, & **without** prior vetting of **EVIDENCE** dispositive of their unfitness, requiring the rejection of each.

For the backstory of what has been going on, below, with the above attachment, is my June 1, 2021 e-mail to Senate Judiciary Committee Chair Hoylman entitled: **“Senate Judiciary Committee procedures for vetting Gov. Cuomo's nominations of Singas & Cannataro to the NY Court of Appeals -- & request to testify in strong opposition at their confirmation hearings, with EVIDENCE, decisive of their unfitness”**, to which I have received NO response from him – or from Ranking Member Boyle or any of the 13 other Senate Judiciary Committee members to whom it was simultaneously sent.

I am available to discuss with you the EVIDENCE that the Senate Judiciary Committee does NOT want to receive from me and investigate. It is accessible from CJA’s webpage for the Senate Judiciary Committee during this 2021 legislative session and includes [CJA’s June 10, 2020 grand jury/public corruption complaint against Nassau County state legislators, two Senate Judiciary Committee members among them](http://www.judgewatch.org/web-pages/searching-nys/leg-committees-commissions/senate/2021-senate-judiciary.htm) -- and **impacting on ALL 63 senators** – that Nassau County D.A. Singas is “sitting on”. The direct link to the webpage is here: <http://www.judgewatch.org/web-pages/searching-nys/leg-committees-commissions/senate/2021-senate-judiciary.htm>.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200
elena@judgewatch.org

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, June 1, 2021 9:10 AM
To: 'hoylman@nysenate.gov' <hoylman@nysenate.gov>
Cc: 'pboyle@nysenate.gov' <pboyle@nysenate.gov>; 'senatorjbailey@nysenate.gov' <senatorjbailey@nysenate.gov>; 'biaggi@nysenate.gov' <biaggi@nysenate.gov>; 'breslin@nysenate.gov' <breslin@nysenate.gov>; 'gounardes@nysenate.gov' <gounardes@nysenate.gov>; 'kaplan@nysenate.gov' <kaplan@nysenate.gov>; 'lanza@nysenate.gov' <lanza@nysenate.gov>; 'myrie@nysenate.gov' <myrie@nysenate.gov>; 'omara@nysenate.gov' <omara@nysenate.gov>; 'oberacker@nysenate.gov' <oberacker@nysenate.gov>; 'palumbo@nysenate.gov' <palumbo@nysenate.gov>; 'skoufis@nysenate.gov' <skoufis@nysenate.gov>; 'stavisky@nysenate.gov' <stavisky@nysenate.gov>; 'thomas@nysenate.gov' <thomas@nysenate.gov>; 'phillips@nysenate.gov' <phillips@nysenate.gov>; 'aaron@bradhoylman.com' <aaron@bradhoylman.com>; 'canary@nysenate.gov' <canary@nysenate.gov>; 'kiprilov@nysenate.gov' <kiprilov@nysenate.gov>; 'turoski@nysenate.gov' <turoski@nysenate.gov>; 'laidley@nysenate.gov' <laidley@nysenate.gov>; 'levans@nysenate.gov' <levans@nysenate.gov>; 'jonesjj@nysenate.gov' <jonesjj@nysenate.gov>; 'golan@nysenate.gov' <golan@nysenate.gov>; 'msb.nysenate@gmail.com' <msb.nysenate@gmail.com>; 'rowheeler@nysenate.gov' <rowheeler@nysenate.gov>; 'jbishop@nysenate.gov' <jbishop@nysenate.gov>; 'valle@nysenate.gov' <valle@nysenate.gov>; 'cfoster@nysenate.gov' <cfoster@nysenate.gov>; 'goddard@nysenate.gov' <goddard@nysenate.gov>;

'brix@nysenate.gov' <brix@nysenate.gov>; 'emancinisd6@gmail.com' <emancinisd6@gmail.com>

Subject: Senate Judiciary Committee procedures for vetting Gov. Cuomo's nominations of Singas & Cannataro to the NY Court of Appeals -- & request to testify in strong opposition at their confirmation hearings, with EVIDENCE, decisive of their unfitness

TO: Senate Judiciary Committee Chair Brad Hoylman

This follows six separate voice mail messages I left at your Albany and Manhattan offices, requesting to know what the Senate Judiciary Committee's procedures are for investigating the fitness of Governor Cuomo's two nominees to the New York Court of Appeals: Nassau County District Attorney Madeline Singas and New York City Civil Court Administrative Judge Anthony Cannataro – and to testify, in strong opposition to each, at the Senate Judiciary Committee's hearings on their confirmations.

Governor Cuomo announced these nominations on Tuesday, May 25th – and at 9:08 am the next day, Wednesday, May 26th, I called your Albany office (518-455-2451), leaving a voice mail message with my above two requests, with a further voice mail message at that number at 2:00 pm, followed by a voice mail message at your Manhattan district office (212-633-8052) at 2:06 pm. The next day, Thursday, May 27th, I left a voice mail message at your Albany office at 12:02 pm and then at your Manhattan office at 12:06 pm. On Friday, May 28th, I left a voice mail message at your Albany office at 10:38 am.

Please advise – and explain why, during these normal business hours, no one picks up the phone or calls back. Is not time of the essence? Did no one wish to speak with me about the basis for CJA's opposition to these nominees – and the EVIDENCE substantiating same?

By copy of this e-mail to Senate Judiciary Committee Ranking Member Phil Boyle and the Committee's 13 other members, I request that they call me to schedule individual or combined phone meetings to discuss the EVIDENCE that is your constitutional duty and theirs to investigate and report to the full Senate. As relates to District Attorney Singas, the EVIDENCE is *prima facie* and open-and shut, not even requiring inquiry of her to establish that her nomination must be rejected, indeed, that she must be indicted for corruption, in office – and that she will be convicted. As to Judge Cannataro, the EVIDENCE is also decisive – although it requires inquiry of him and others to establish, both as relates to his three-year tenure, from 2000 to 2003, as the principal law clerk at the Court of Appeals to then Associate Judge Carmen Ciparick, and as to the pay raises that have boosted his salary \$80,000 a year since becoming a judge in 2012.

I take this opportunity to bring to your attention that I am still waiting for you and the Senate to furnish me with a copy of the attorney misconduct complaint against Rudolph Giuliani that you filed in January with New York's attorney grievance committee for the First Judicial Department. Will you be supplying it? The chain of e-mails is below.

Finally, and on that topic – but yet also related to the nominations of Singas and Cannataro to the Court of Appeals -- when is the Senate Judiciary Committee finally going to continue – and make findings on -- the hearings begun twelve years ago on New York's attorney grievance committees and the Commission on Judicial Conduct, held by then Chair John Sampson, whose origin can be

traced back to my testimony before him at the Senate Judiciary Committee's January 27, 2009 hearing on "merit selection" to the Court of Appeals in which I stated:

"...you need to be sure that the regulatory bodies, the Commission on Judicial Conduct, the attorney disciplinary committees are functioning, because they are one of the first stops of the Commission on Judicial Nomination in securing information about candidates. And they are useless. They are worthless and they are corrupt. **And there needs to be hearings and investigations of those bodies.**" (transcript, pp. 88-89).

The January 27, 2009 transcript excerpt, the VIDEO of my subsequent extensive testimony and colloquy with Chair Sampson at the continued June 5, 2009 hearing on the Commission on Judicial Nomination and "merit selection" to the Court of Appeals, the VIDEOS and transcripts of the Senate Judiciary Committee's June 8, 2009 and September 24, 2009 hearings on the attorney grievance committees and the Commission on Judicial Conduct, and the draft written statement and substantiating evidentiary webpage I had prepared for the Senate Judiciary Committee's third – and aborted -- December 16, 2009 hearing are all posted and accessible from CJA's website, including [here](#).

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, March 26, 2021 3:33 PM
To: 'Senate Foil' <foil@nysenate.gov>
Cc: 'aaron@bradhoylman.com' <aaron@bradhoylman.com>; 'hoylman@nysenate.gov' <hoylman@nysenate.gov>

Subject: AGAIN: "clarification and specificity" -- Jan. 15, 2021 FOIL Request -- Senate Judiciary Committee Chair Brad Hoylman's complaint to the Appellate Division seeking revocation of Rudolph Giuliani's law license

TO: New York State Senate Records Access Officer/Secretary of the Senate Alejandra Paulino, ESQ.

I have no record of response from you to my below February 19th e-mail. Did you respond? If not, please do so now and, at minimum, provide me with the requested January 11, 2021 misconduct complaint against Rudolph Giuliani that Senate Judiciary Committee Chair Hoylman filed with the attorney grievance committee of New York's appellate division.

As I also have no record of response from Chair Hoylman's press officer, Aaron Ghitelman, who, when I spoke with him on February 18th, as recited below, stated he would send me the complaint, I take the opportunity of this e-mail to remind Mr. Ghitelman to send it to me now, if he did not do so previously.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, February 19, 2021 8:56 AM
To: 'foil@nysenate.gov' <foil@nysenate.gov>
Cc: 'aaron@bradhoylman.com' <aaron@bradhoylman.com>; 'holyman@nysenate.gov' <holyman@nysenate.gov>

Subject: "clarification and specificity" -- Jan. 15, 2021 FOIL Request -- Senate Judiciary Committee Chair Brad Hoylman's complaint to the Appellate Division seeking revocation of Rudolph Giuliani's law license

TO: New York State Senate Records Access Officer/Secretary of the Senate Alejandra Paulino

This replies to your below February 12, 2021 response to my above-entitled and attached January 15, 2021 FOIL request.

There is nothing "overly broad and vague" about it – including as to the approximate date of Senate Judiciary Committee Chair Hoylman's formal complaint against Rudolph Giuliani – the intent to file same having been announced by him at the outset of the Senate Judiciary Committee's January 11, 2021 meeting and embodied in the press release of that date, posted on Senator Hoylman's Senate website that I provided you: <https://www.nysenate.gov/newsroom/press-releases/brad-hoylman/ny-senate-judiciary-chair-brad-hoylman-file-formal-complaint>. Indeed, I yesterday confirmed with Senator Hoylman's press officer, Aaron Ghitelman, that the complaint was filed on January 11, 2021.

Please, therefore, pursuant to Senate Rule ____ "Freedom of Information", furnish me with Senator Hoylman's publicly-announced January 11, 2021 formal complaint without further delay.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200

From: Senate Foil <foil@nysenate.gov>
Sent: Friday, February 12, 2021 2:14 PM
To: Center for Judicial Accountability, Inc.(CJA) <elena@judgewatch.org>

Subject: Re: FOIL Request -- Senate Judiciary Committee Chair Brad Hoylman's complaint to the Appellate Division seeking revocation of Rudolph Giuliani's law license

February 12, 2021

Ms. Elena Ruth Sassower, Director
Center for Judicial Accountability, Inc.
Post Office Box 8101
White Plains, NY 10602
cja@judgewatch.org

Dear Ms. Sassower:

This is to acknowledge receipt of your email dated January 15, 2020 pursuant to the Freedom of Information Law.

You are requesting ... “a copy of said formal complaint...”

Please be advised your request is overly broad and vague in nature. However, if you provide clarification and specificity with regard to dates we will attempt to fulfill your request.

I have attached a copy of the Senate’s Rules and Regulations Relating to the Public Inspection and Copying of Legislative Records for your information.

Sincerely,

Alejandra N. Paulino, Esq.
Secretary of the Senate

From: Senate Foil/senate
To: "Center for Judicial Accountability, Inc.\(CJA)" <elena@judgewatch.org>
Date: 01/26/2021 10:45 AM

Subject: Re: FOIL Request -- Senate Judiciary Committee Chair Brad Hoylman's complaint to the Appellate Division seeking revocation of Rudolph Giuliani's law license

Good Morning,

This is to acknowledge receipt of your request dated January 6, 2021 pursuant to the Freedom of Information Law.

We are currently working on this request and expect to be able to respond within ten (10) business days. If you have any questions do not hesitate to reach to this email address.

From: "Center for Judicial Accountability, Inc.\(CJA)" <elena@judgewatch.org>
To: <foil@nysenate.gov>
Date: 01/15/2021 03:54 PM

Subject: **FOIL Request -- Senate Judiciary Committee Chair Brad Hoylman's complaint to the Appellate Division seeking revocation of Rudolph Giuliani's law license**

TO: New York State Senate Records Access Officer/Secretary of the Senate Alejandra Paulino

Reference is made to the January 11, 2021 press release entitled: "[New York Senate Judiciary Committee Chair Brad Hoylman to File Formal Complaint Asking New York Appellate Division to Consider Revoking Rudy Giuliani's License to Practice Law](#)", posted on Senator Hoylman's **Senate website**. Pursuant to Senate Rule ____ "Freedom of Information", this is to request a copy of said formal complaint.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200