

By Fax: 202-224-9102

Monday, July 15, 1996

**To: U.S. Senate Judiciary Committee
Dirkson Senate Office Bldg.
Washington, DC**

From: Fairlene G. Rabenda and Bill VanAllen

RE: Opposition Justice Lawrence E. Kahn confirmation

This letter reiterates our telephone request earlier today that documentation created by Senate Judiciary Committee staff relating to our strong opposition to Justice Lawrence Kahn's confirmation be sent to the attention of Steve Seale, Legislative Assistant to Senate Majority Leader Lott.

Such documentation includes written negotiations made by the staff member with whom we spoke for approximately 5-10 minutes on June 7th, when we visited the Senate Judiciary Committee office. The purpose of our visit was to apprise the Senate Judiciary Committee of our opposition to its confirmation of Justice Kahn, based on his politically-motivated decision-making in a public interest case in which we were plaintiffs.

From June 7th to the present date, we have never been contacted by any counsel to the Senate Judiciary Committee by way of follow-up. Nor, did the Committee at any time request that we provide it with documentation substantiating our serious allegations of deliberate on-the-bench misconduct by Justice Kahn.

The Senate Judiciary Committee also did not notify us of its June 25th confirmation hearing on Justice Kahn's nomination. Had we been informed of such hearing date, we would have been present to testify -- not only as to Justice Kahn's unfitness for judicial office, but as to the Senate Judiciary Committee's dereliction in failing to follow up and investigate our opposition.

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Finally, we have just become aware of the Center for Judicial Accountability's opposition to Justice Kahn. Plainly, our experience with the Senate Judiciary Committee reinforces the Center's call for an official investigation of the Senate Judiciary Committee's misfeasance as particularized in the Center's June 28th, 1996 letter to Chairman Hatch.

Very truly yours,

Bill Van Allen
351 North Road
Hurley NY 12443
(914) 338-5979/ 339-2835

Faye Rabenda
8 Claudia Lane
Poughkeepsie, NY 12603
(914) 462-5820/ 463-3410

cc: Center for Judicial Accountability, Inc.
Mr. Greg Dotlo - US-DOJ-FBI, White Plains, NY
Rep. Maurice Hinchey
Rep. Susan Kelly
Rep. Gerald Solomon
Sen. Daniel Patrick Moynihan
Sen. Alfonse D'Amato