

NEW YORK COURT OF APPEALS

CJA v. Commission on Legislative, Judicial & Executive Compensation, et al.
Albany County Index #902654-24

Appeal of Right, pursuant to Article VI, §3(b)(2) of the NYS Constitution

AFFIRMATION OF SERVICE

ELENA RUTH SASSOWER, affirms the following to be true under penalties of perjury, pursuant to CPLR §2106:

On the 25th day of October 2024, I served Respondents, by their attorney, Respondent Attorney General Letitia James, with Appellants' October 21, 2021 Preliminary Appeal Statement and the Notice of Appeal of which it is part, by e-mail, requesting consent to service thereby. Attached is the e-mail, to which, at yet, I have received no response from Assistant Solicitor General John Moore, who is the supervisor of Assistant Solicitor General Noah Engelhart, who is away. Should consent not be given, I will promptly serve by mail – and send the Court an affirmation of service thereof.



Elena Ruth Sassower, unrepresented appellant-petitioner, individually and as Director of the Center for Judicial Accountability, Inc, acting on her own behalf and on behalf of the People of the State of New York & the Public Interest

Dated: White Plains, New York
October 25, 2024

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, October 25, 2024 11:47 AM
To: 'john.moore@ag.ny.gov'
Subject: CJA v. Commission on Legislative, Judicial & Executive Compensation, et al -- October 21, 2024 Notice of Appeal to the Court of Appeals & Preliminary Appeal Statement
Attachments: 902654_24_Center_for_Judicial_Ac_v_Center_for_Judicial_Ac_NOTICE_OF_APPEAL____95.pdf

TO: Assistant Attorney General John Moore

In response to my below e-mail to Assistant Attorney General Engelhart, I received an auto-reply e-mail from him, stating:

"I am out of the office and will not have access to phone messages or email starting today through 10/29/24, returning 10/30/24. In case of time sensitive emergencies in my absence, please contact Stacey Hamilton (Stacey.Hamilton@ag.ny.gov), or Erin Mead (Erin.Mead@ag.ny.gov) for matters on 10/29/24."

As you are AAG Engelhart's supervisor – and filed an appearance and opposition memorandum in [CJA v. Commission on Legislative, Judicial and Executive Compensation, et al. \(NYSCEF #60\)](#) -- kindly advise whether you will accept the above-attached Notice of Appeal with Preliminary Appeal Statement ([NYSCEF #95](#)) as service, or require that I mail a hard copy.

Thank you.

Elena Sassower

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, October 25, 2024 10:49 AM
To: 'noah.engelhart@ag.ny.gov' <noah.engelhart@ag.ny.gov>

Subject: CJA v. Commission on Legislative, Judicial & Executive Compensation, et al -- October 21, 2024 Notice of Appeal to the Court of Appeals & Preliminary Appeal Statement

TO: Assistant Attorney General Noah Engelhart --

On Monday, October 21st, I uploaded to the Supreme Court docket ([Albany Co. Index #902654-24](#)) petitioners' Notice of Appeal to the Court of Appeals with Preliminary Appeal Statement – [NYSCEF #95](#).

I must send an original and a copy to the Court of Appeals with an affidavit of service. The Court of Appeals has advised that I can serve you, by e-mail, if you consent to same.

Please let me know whether you will deem the above-attached Notice of Appeal with Preliminary Appeal Statement ([NYSCEF #95](#)) as service, or require that I mail you a hard copy, which I will expeditiously do.

Thank you.

Elena Sassower, unrepresented individual petitioner-appellant,
acting on her own behalf and on behalf of the People of the State of New York & the Public Interest