

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK

----- X
ELENA RUTH SASSOWER and DORIS L. SASSOWER,
Individually and as Director and President, respectively,
of the Center for Judicial Accountability, Inc., and
CENTER FOR JUDICIAL ACCOUNTABILTY, INC.,
Acting *Pro Bono Publico*,

Index #10-12596

NOTICE OF APPEAL

Plaintiffs,

-against-

GANNETT COMPANY, INC., The Journal News, LoHud.com
HENRY FREEMAN, CYNDEE ROYLE, BOB FREDERICKS,
D. SCOTT FAUBEL, KEITH EDDINGS, DOES 1-10,

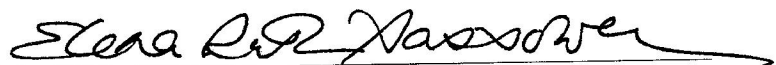
Defendants.

FILED
MAY 18 2012
Judith A. Pascale
CLERK OF SUFFOLK COUNTY

-----X
PLEASE TAKE NOTICE that Plaintiffs hereby appeal to the Appellate Division, Second
Department, 45 Monroe Place, Brooklyn, New York 11201 from the short-form order of Suffolk
County Supreme Court Justice Peter Fox Cohalan, dated April 23, 2012 and filed in the Suffolk
County Clerk's Office on May 1, 2012, and from each and every part thereof.

Dated: White Plains, New York
May 18, 2012

Yours, etc.



ELENA RUTH SASSOWER
10 Stewart Place, Apt. 2DE
White Plains, New York 10603
Tel: 646-220-7987
Individually & Acting Pro Bono Publico

*Attorneys for Doris L. Sassower, Individually and as
President of the Center for Judicial Accountability, Inc.,
Elena Ruth Sassower, as Director of the Center for Judicial
Accountability, Inc, and Center for Judicial Accountability,
Inc., Acting Pro Bono Publico*

TO: SATTERLEE STEPHENS BURKE & BURKE LLP
230 Park Avenue
New York, New York 10169
Tel: 212-819-9200
*Attorneys for Defendants Gannett Company, Inc.,
Gannett Satellite Information Network, Inc.,
Henry Freeman, CynDee Royle, Bob Fredericks,
and D. Scott Faubel*

SUPREME COURT - STATE OF NEW YORK
I.A.S. TERM, PART XXIV - SUFFOLK COUNTY

PRESENT:
Hon. PETER FOX COHALAN

-----x
ELENA RUTH SASSOWER and DORIS L.
SASSOWER, Individually and as Director and
president, respectively, of the Center for Judicial
Accountability, inc., and CENTER FRO JUDICIAL
ACCOUNTABILITY, INC., Acting *Pro Bono Publico*,

Plaintiffs,

-against-

GANNETT COMPANY, INC., The Journal News,
LoHud.com HENRY FREEMAN, CYNDEE ROYLE,
BOB FREDERICKS, D. SCOTT FAUBEL, KEITH
EDDINGS, DOES 1-10,

Defendants.
-----x

CALENDAR DATE: April 11, 2012
MNEMONIC: MD

PLTF'S/PET'S ATTORNEY:
Elena Ruth Sassower, pro se
64 Town Point Road
Southampton, New York 11968

DEFT'S/RESP ATTORNEY:
Satterlee Stephens Burke & Burke LLP
230 Park Avenue
New York, New York 10169

Upon the following papers numbered 1 to 28 read on this motion for recusal order;
Notice of Motion/Order to Show Cause and supporting papers 1-15; Notice of Cross-Motion and
supporting papers _____; Answering Affidavits and supporting papers 16-24; Replying
Affidavits and supporting papers 25-28; Other _____; and after hearing counsel in support of and
opposed to the motion it is,

ORDERED that this pro se motion by the plaintiff, Elena Ruth Sassower, seeking to
disqualify this Court for bias and vacating the Court's order because the Court in a decision,
dated September 22, 2011, granted the defendants' motion to dismiss is denied in its entirety
as without legal merit. The alternative requested relief by pro se plaintiff to reargue this
Court's decision dismissing her libel action against defendants pursuant to CPLR §2221 is
similarly denied in its entirety. The requested relief seeking sanctions against the defendants'
attorneys for their "factually and legally false advocacy" in this case is also denied.

The foregoing constitutes the decision of the Court.

Dated: April 23, 2012

Peter Fox Cohalan
J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK

----- x

ELENA RUTH SASSOWER and DORIS L. SASSOWER,
Individually and as Director and President, respectively,
of the Center for Judicial Accountability, Inc., and
CENTER FOR JUDICIAL ACCOUNTABILITY, INC.,
Acting *Pro Bono Publico*,

Index # 10-12596

Plaintiffs,

-against-

GANNETT COMPANY, INC., The Journal News, LoHud.com
HENRY FREEMAN, CYNDEE ROYLE, BOB FREDERICKS,
D. SCOTT FAUBEL, KEITH EDDINGS, DOES 1-10,

Defendants.

NOTICE OF APPEAL

ELENA RUTH SASSOWER, *Pro Se*
Individually & Acting *Pro Bono Publico*

10 Stewart Place, Apt 2DE
White Plains, New York 10603
Tel: 646-220-7987

Attorneys for DORIS L. SASSOWER, Individually and as
President of the Center for Judicial Accountability, Inc., *
ELENA RUTH SASSOWER, as Director of the Center for
Judicial Accountability, Inc, and CENTER FOR JUDICIAL
ACCOUNTABILITY, INC., Acting *Pro Bono Publico*

FILED
MAY 18 2012
CLERK OF COURT

Supreme Court of the State of New York
Appellate Division - Second Judicial Department

Form A - Request for Appellate Division Intervention - Civil

See § 670.3 of the rules of this court for directions on the use of this form (22 NYCRR 670.3).

Case Title: Set forth the title of the case as it appears on the summons, notice of petition or order to show cause by which the matter was or is to be commenced, or as amended.

For Court of Original Instance

Date Notice of Appeal Filed

For Appellate Division

ELENA RUTH SASSOWER and DORIS L. SASSOWER,
Individually and as Director and President, respectively,
of the Center for Judicial Accountability, Inc., and
CENTER FOR JUDICIAL ACCOUNTABILITY, INC.,
Acting *Pro Bono Publico*

-v-

GANNETT COMPANY, INC., The Journal News, LoHud.com
HENRY FREEMAN, CYNDEE ROYLE, BOB FREDERICKS,
D. SCOTT FAUBEL, KEITH EDDINGS, DOES 1-10

Case Type	CPLR article 78 Proceeding	Filing Type	Transferred Proceeding
<input checked="" type="checkbox"/> Civil Action	<input type="checkbox"/> Special Proceeding Other	<input checked="" type="checkbox"/> Appeal	<input type="checkbox"/> CPLR 5704 Review
<input type="checkbox"/> CPLR article 75 Arbitration	<input type="checkbox"/> Habeas Corpus Proceeding	<input type="checkbox"/> Original Proceeding	
Nature of Suit: Check up to five of the following categories which best reflect the nature of the case.			
A. Administrative Review	D. Domestic Relations	F. Prisoners	I. Torts
<input type="checkbox"/> 1 Freedom of Information Law <input type="checkbox"/> 2 Human Rights <input type="checkbox"/> 3 Licenses <input type="checkbox"/> 4 Public Employment <input type="checkbox"/> 5 Social Services <input type="checkbox"/> 6 Other	<input type="checkbox"/> 1 Adoption <input type="checkbox"/> 2 Attorney's Fees <input type="checkbox"/> 3 Children - Support <input type="checkbox"/> 4 Children - Custody/Visitation <input type="checkbox"/> 5 Children - Terminate Parental Rights <input type="checkbox"/> 6 Children - Abuse/Neglect <input type="checkbox"/> 7 Children - JD/PINS <input type="checkbox"/> 8 Equitable Distribution <input type="checkbox"/> 9 Exclusive Occupancy of Residence <input type="checkbox"/> 10 Expert's Fees <input type="checkbox"/> 11 Maintenance/Alimony <input type="checkbox"/> 12 Marital Status <input type="checkbox"/> 13 Paternity <input type="checkbox"/> 14 Spousal Support <input type="checkbox"/> 15 Other	<input type="checkbox"/> 1 Discipline <input type="checkbox"/> 2 Jail Time Calculation <input type="checkbox"/> 3 Parole <input type="checkbox"/> 4 Other G. Real Property <input type="checkbox"/> 1 Condemnation <input type="checkbox"/> 2 Determine Title <input type="checkbox"/> 3 Easements <input type="checkbox"/> 4 Environmental <input type="checkbox"/> 5 Liens <input type="checkbox"/> 6 Mortgages <input type="checkbox"/> 7 Partition <input type="checkbox"/> 8 Rent <input type="checkbox"/> 9 Taxation <input type="checkbox"/> 10 Zoning <input type="checkbox"/> 11 Other	<input type="checkbox"/> 1 Assault, Battery, False Imprisonment <input type="checkbox"/> 2 Conversion <input checked="" type="checkbox"/> 3 Defamation <input checked="" type="checkbox"/> 4 Fraud <input type="checkbox"/> 5 Intentional Infliction of Emotional Distress <input type="checkbox"/> 6 Interference with Contract <input type="checkbox"/> 7 Malicious Prosecution/Abuse of Process <input type="checkbox"/> 8 Malpractice <input type="checkbox"/> 9 Negligence <input type="checkbox"/> 10 Nuisance <input type="checkbox"/> 11 Products Liability <input type="checkbox"/> 12 Strict Liability <input type="checkbox"/> 13 Trespass and/or Waste <input type="checkbox"/> 14 Other
B. Business & Other Relationships	E. Miscellaneous	H. Statutory	J. Wills & Estates
<input type="checkbox"/> 1 Partnership/Joint Venture <input type="checkbox"/> 2 Business <input type="checkbox"/> 3 Religious <input type="checkbox"/> 4 Not-for-Profit <input type="checkbox"/> 5 Other	<input type="checkbox"/> 1 Constructive Trust <input type="checkbox"/> 2 Debtor & Creditor <input type="checkbox"/> 3 Declaratory Judgment <input type="checkbox"/> 4 Election Law <input type="checkbox"/> 5 Notice of Claim <input type="checkbox"/> 6 Other	<input type="checkbox"/> 1 City of Mount Vernon Charter §§ 120, 127-f, or 129 <input type="checkbox"/> 2 Eminent Domain Procedure Law § 207 <input type="checkbox"/> 3 General Municipal Law § 712 <input type="checkbox"/> 4 Labor Law § 220 <input type="checkbox"/> 5 Public Service Law §§ 128 or 170 <input type="checkbox"/> 6 Other	<input type="checkbox"/> 1 Accounting <input type="checkbox"/> 2 Discovery <input type="checkbox"/> 3 Probate/Administration <input type="checkbox"/> 4 Trusts <input type="checkbox"/> 5 Other
C. Contracts			
<input type="checkbox"/> 1 Brokerage <input type="checkbox"/> 2 Commercial Paper <input type="checkbox"/> 3 Construction <input type="checkbox"/> 4 Employment <input type="checkbox"/> 5 Insurance <input type="checkbox"/> 6 Real Property <input type="checkbox"/> 7 Sales <input type="checkbox"/> 8 Secured <input type="checkbox"/> 9 Other			

Appeal

Paper Appealed From (check one only):

- | | | | |
|---|---|---|---|
| <input type="checkbox"/> Amended Decree | <input type="checkbox"/> Determination | <input checked="" type="checkbox"/> Order | <input type="checkbox"/> Resettled Order |
| <input type="checkbox"/> Amended Judgment | <input type="checkbox"/> Finding | <input type="checkbox"/> Order & Judgment | <input type="checkbox"/> Ruling |
| <input type="checkbox"/> Amended Order | <input type="checkbox"/> Interlocutory Decree | <input type="checkbox"/> Partial Decree | <input type="checkbox"/> Other (specify): |
| <input type="checkbox"/> Decision | <input type="checkbox"/> Interlocutory Judgment | <input type="checkbox"/> Resettled Decree | |
| <input type="checkbox"/> Decree | <input type="checkbox"/> Judgment | <input type="checkbox"/> Resettled Judgment | |

Court: <i>Supreme Court</i>	County: <i>Suffolk</i>
Dated: <i>April 23, 2012</i>	Entered: <i>filed May 1, 2012</i>
Judge (name in full): <i>Peter Fox Cohalan</i>	Index No.: <i>10-12596</i>
Stage: <input type="checkbox"/> Interlocutory <input checked="" type="checkbox"/> Final <input type="checkbox"/> Post-Final	Trial: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: <input type="checkbox"/> Jury <input type="checkbox"/> Non-Jury

Prior Unperfected Appeal Information

Are any unperfected appeals pending in this case? Yes No. If yes, do you intend to perfect the appeal or appeals covered by the annexed notice of appeal with the prior appeals? Yes No. Set forth the Appellate Division Cause Number(s) of any prior, pending, unperfected appeals: *2012-00126*

Original Proceeding

Commenced by: Order to Show Cause Notice of Petition Writ of Habeas Corpus Date Filed:

Statute authorizing commencement of proceeding in the Appellate Division:

Proceeding Transferred Pursuant to CPLR 7804(g)

Court:	County:
Judge (name in full):	Order of Transfer Date:

CPLR 5704 Review of Ex Parte Order

Court:	County:
Judge (name in full):	Dated:

Description of Appeal, Proceeding or Application and Statement of Issues

Description: If an appeal, briefly describe the paper appealed from. If the appeal is from an order, specify the relief requested and whether the motion was granted or denied. If an original proceeding commenced in this court or transferred pursuant to CPLR 7804(g), briefly describe the object of the proceeding. If an application under CPLR 5704, briefly describe the nature of the ex parte order to be reviewed.

This is an appeal from Justice Cohalan's four-sentence April 23, 2012 short-form order which denied plaintiffs' December 21, 2011 motion to disqualify him for bias, for reargument of his September 22, 2011 decision dismissing plaintiffs' verified complaint, and for sanctions against defense counsel for their "factually and legally false advocacy" - and which neither denied nor identified the further relief sought by plaintiffs' motion: (1) his disqualification for interest; (2) disclosure of facts bearing upon his fairness and impartiality; (2) vacatur of his September 22, 2011 decision pursuant to CPLR §5015(a)(3) for "fraud, misrepresentation, or other misconduct of an adverse party"; (3) vacatur of his September 22, 2011 decision pursuant to CPLR §5015(a)(4) for "lack of jurisdiction" by reason of his disqualification for interest; and (4) leave to amend the verified complaint pursuant to CPLR §3025(b).

Amount:
issues:

Specify the issues proposed to be raised on the appeal, proceeding, or application for CPLR 5704 review.

1. Was plaintiffs' December 21, 2011 motion to disqualify Justice Cohalan for "demonstrated actual bias and interest" sufficient to entitle them to his disqualification and, if denied, for their alternative requested relief of his disclosure of facts bearing upon his fairness and impartiality?

Issues Continued:

2. Whether the record before Justice Cohalan supports any interpretation other than that his April 23, 2012 short-form order is a knowing and deliberate fraud by him, further reinforcing plaintiffs' entitlement to his disqualification for "demonstrated actual bias and interest"?

Use Form B for Additional Appeal Information

Party Information

Instructions: Fill in the name of each party to the action or proceeding, one name per line. If this form is to be filed for an appeal, indicate the status of the party in the court of original instance and his, her, or its status in this court, if any. If this form is to be filed for a proceeding commenced in this court, fill in only the party's name and his, her, or its status in this court.

Examples of a party's original status include: plaintiff, defendant, petitioner, respondent, claimant, defendant third-party plaintiff, third-party defendant, and intervenor. Examples of a party's Appellate Division status include: appellant, respondent, appellant-respondent, respondent-appellant, petitioner, and intervenor.

No.	Party Name	Original Status	Appellate Division Status
1	Elena Ruth Sassone	plaintiff	appellant
2	Doris L. Sassone	plaintiff	appellant
3	Center for Judicial Accountability Inc	plaintiff	appellant
4	Gannett Company, Inc.	defendant	respondent
5	The Journal News	defendant	respondent
6	Cattud.com	defendant	respondent
7	Henry Freeman	defendant	respondent
8	Cyndee Royle	defendant	respondent
9	Bob Fredericks	defendant	respondent
10	D. Scott Fausel	defendant	respondent
11	Keith Eddings	non-apposing defendant	
12	Does 1-10	non-apposing defendant	
13			
14			
15			
16			
17			
18			
19			
20			

Attorney Information

Instructions: Fill in the names of the attorneys or firms of attorneys for the respective parties. If this form is to be filed with the notice of petition or order to show cause by which a special proceeding is to be commenced in the Appellate Division, only the name of the attorney for the petitioner need be

provided.

In the event that a litigant represents herself or himself, the box marked "Pro Se" must be checked and the appropriate information for that litigant must be supplied in the spaces provided.

Attorney/Firm Name: Elena Ruth Sassow

Address: 10 Stewart Place, Apt 2 DE 646

City: White Plains State: Ny Zip: 10603 Telephone No.: 220-7987

Attorney Type: Retained Assigned Government Pro Se Pro Hac Vice

Party or Parties Represented (set forth party number[s] from table above or from Form C):

1																			
---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Attorney/Firm Name:

Address:

City: State: Zip: Telephone No.:

Attorney Type: Retained Assigned Government Pro Se Pro Hac Vice

Party or Parties Represented (set forth party number[s] from table above or from Form C):

1	2	3																	
---	---	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Attorney/Firm Name: Satterlee Stephens Burke + Burke LLP

Address: 230 Park Avenue 11th floor 212

City: New York State: Ny Zip: 10169 Telephone No.: 818-9200

Attorney Type: Retained Assigned Government Pro Se Pro Hac Vice

Party or Parties Represented (set forth party number[s] from table above or from Form C):

4	5	6	7	8	9	10													
---	---	---	---	---	---	----	--	--	--	--	--	--	--	--	--	--	--	--	--

Attorney/Firm Name:

Address:

City: State: Zip: Telephone No.:

Attorney Type: Retained Assigned Government Pro Se Pro Hac Vice

Party or Parties Represented (set forth party number[s] from table above or from Form C):

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Attorney/Firm Name:

Address:

City: State: Zip: Telephone No.:

Attorney Type: Retained Assigned Government Pro Se Pro Hac Vice

Party or Parties Represented (set forth party number[s] from table above or from Form C):

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Attorney/Firm Name:

Address:

City: State: Zip: Telephone No.:

Attorney Type: Retained Assigned Government Pro Se Pro Hac Vice

Party or Parties Represented (set forth party number[s] from table above or from Form C):

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Use Form C for Additional Party and/or Attorney Information

The use of this form is explained in § 670.3 of the rules of the Appellate Division, Second Department (22 NYCRR 670.3). If this form is to be filed for an appeal, place the required papers in the following order: (1) the Request for Appellate Division Intervention [Form A, this document], (2) any required Additional Appeal Information Forms [Form B], (3) any required Additional Party and Attorney Information Forms [Form C], (4) the notice of appeal or order granting leave to appeal, (5) a copy of the paper or papers from which the appeal or appeals covered in the notice of appeal or order granting leave to appeal is or are taken, and (6) a copy of the decision or decisions of the court of original instance, if any.