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Subject: **Follow-Up & Correction: "Another Voice: Ongoing legal challenge to Hochul not without merit" (Dec 21, 2024, Buffalo News)**

TO: [Joseph T. Burns, Esq.](#)

I have just seen your opinion piece, "[Ongoing legal challenge to Hochul not without merit](#)", published by [The Buffalo News](#) on December 21, 2024 as "Another Voice".

In referring to former Governor Cuomo's lawsuit against the Commission on Ethics and Lobbying in Government (COELIG), now before the Court of Appeals, you state:

"Even if the appeals court rejects Cuomo's challenge and holds that the commission is constitutional, other lawsuits on calling the commission's constitutionality are winding their way through the courts. Cuomo's challenge to the commission's constitutionality, however, remains the most noteworthy and politically problematic for Hochul..." (underlining added).

To which "other lawsuits" are you referring? Do they include *Center for Judicial Accountability, et al. v. JCOPE, et al.*, wherein Governor Hochul is herself a respondent/defendant, sued for corruption with respect to COELIG's enactment, through the budget and by fraud? – the subject of the sixth cause of action (¶¶78-85) of its [June 6, 2022 verified petition](#).

Perhaps you are unaware that *CJA v. JCOPE, et al.* ([Albany #904235-22](#)) was already at the Appellate Division, Third Department ([CV-23-0115](#)) before Cuomo's lawsuit was even commenced in Supreme Court ([Albany #903759-23](#)) by his [April 25, 2023 summons and verified complaint](#) – and that, at the Appellate Division, both in *CJA v. JCOPE, et al.* and *Cuomo v. COELIG* ([CV-23-1778](#)), I made January 12, 2024 motions for the two appeals to be heard together to prevent fraud and because, *inter alia*, the unconstitutionality of COELIG's enactment through the budget and by fraud, established by *CJA v. JCOPE, et al.*, mooted the sole question in *Cuomo v. COELIG* as to the constitutionality of the COELIG statute, *as written*, absent invocation of exceptions to mootness.

Those motions, which were unopposed, were denied by February 1, 2024 Appellate Division orders, without decision, facts, or law – and the same issues of fraud and mootness pertaining to *Cuomo v. COELIG* are now before the Court of Appeals, most immediately by my [December 16, 2024 motion for leave to file an amicus curiae brief to prevent fraud](#). The motion demonstrates that the briefs before the Court of COELIG, Cuomo, and the "good government"/NYC Bar Association *amici*, identically to their briefs before the Appellate Division, are materially fraudulent, that the Appellate Division's unanimous May 9, 2024 decision is a fraud, and that the COELIG statute is not only unconstitutional, *by its enactment*, but, *as*

applied, being a “herculean hoax”, including its so-called “independent review committee” of 15 law school deans.

The status of the December 16, 2024 motion is summarized by my [January 3, 2025 reply in further support of the motion](#): Cuomo and the “good government”/NYC Bar Association *amici* did not oppose it, at all, and COELIG’s only opposition was a single-sentence that did not oppose the requested leave to file the *amicus curiae* brief.

To assist you and [The Buffalo News](#) in evaluating the situation and your respective obligations regarding your December 21st opinion piece and for belated first reporting and investigative journalism by [The Buffalo News](#) of [CJA v. JCOPE, et al., now itself before the Court of Appeals, of right](#), everything is posted on [CJA’s webpage for Cuomo v. COELIG at the Court of Appeals](#).

I would welcome an opportunity to speak with you and to answer questions. Likewise, I would welcome speaking with [The Buffalo News](#)’ publisher, editors, and reporters, herein cc’d, so that the public can be rightfully informed of what has been going on and is now unfolding, as it is monumental.

Thank you.

Elena Sassower, Director
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