

# Law Journal

Today's  
Classified  
Section  
Begins on  
Page 8

DAY, SEPTEMBER 8, 1993

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## District Lines Restored

### Is Ruled n Heights

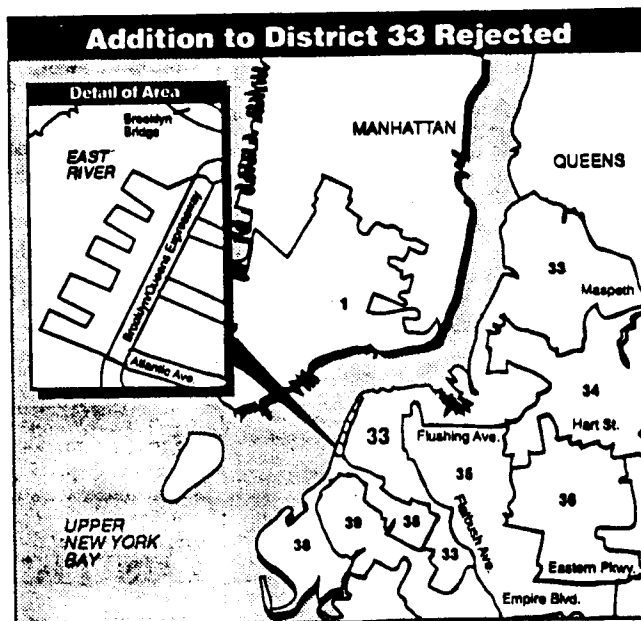
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the waterfront and piers, which the Port Authority has tried to sell to private developers. They argued that the waterfront historically had been part of Brooklyn Heights and that its unnecessary removal violated the City Charter.

The focus of the dispute was tabulation block 105, which runs for more than a mile along the river from the Brooklyn Battery Tunnel to Old Fulton Street. Tabulation blocks are the smallest units used in the federal census,

Continued on page 2, column 3

## Levine Wins Confirmation To Top Court Swearing-In Ceremony Is Scheduled for Today

BY GARY SPENCER

ALBANY — Justice Howard A. Levine's nomination to the Court of Appeals was unanimously confirmed by the State Senate yesterday, following a friendly hearing by Judiciary Committee members who seemed more inclined to praise than question him.

Senators raised several issues that have become a standard theme of confirmation hearings over the past year, ranging from the Court's development of State Constitutional law to the "horrendous" conditions of trial court facilities. Senator Dale M. Volker, R-Erie County, complained about the timing of the Court's April 1 ruling in *New York State Bankers Association v. Wetzler*, which struck down the Legislature's budget amendment process as illegal on the day the budget was due.



Justice Levine

But the only breath of criticism at the hearing came from Doris L. Sasser, director of a citizens group called the Ninth Judicial Committee, who had challenged the legality of judicial cross-endorsements in a West-

Continued on page 2, column 1

## omic Character Creates Rights

widely in promotional materials, a federal judge has ruled.

Rejecting a motion to dismiss,

convention, where it distributed 1,500 copies of a brochure entitled "A Gathering of Heroes," which included

ment [department] was part of a concerted effort by defendant to eventually terminate her because of her gender," Judge Wood said. "The facts alleged here appear to be closely related

Ms. Flynn was represented by Steven Hyman of Leavy, Rosensweig & Hyman. Goldman Sachs was represented by John F. Cannon of Sullivan & Cromwell.

## Court of Appeals Confirmation

Continued from page 1, column 6

chester County case three years ago. Justice Levine, who has served on the Appellate Division, Third Department, since 1982, was on the panel that affirmed the dismissal of her suit in May 1991.

Ms. Sassower argued that his handling of the case should be investigated before he was confirmed. The hearing was disrupted for several minutes when Senator John J. Marchi,

the committee's ranking majority member, cut off her presentation after she exceeded the 10-minute time limit and then ordered the sergeant-at-arms and six assistants to escort Ms. Sassower and her daughter from the floor.

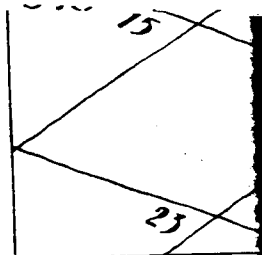
The committee unanimously recommended confirmation of Justice Levine, a 61-year-old Schenectady Republican.

He is scheduled to be sworn in at the Court of Appeals at 10 a.m. today, which will enable him to hear arguments on the last two days of the Court's September session. The Court has had its full complement of seven judges for only one session since Fritz W. Alexander II resigned in April 1992.

### Letters Welcome

The *Law Journal* welcomes letters for publication. They must contain the names and addresses of correspondents although identities will be withheld on request. All correspondence is subject to editing based on considerations of duplication, length, relevance, taste and suitability for publication.

The "Weekly Realty Law Digest" is a *Law Journal* feature designed for practitioners in real-property law. Written by Scott E. Mollen and published each Wednesday, it digests significant decisions in the field.



### TODAY

**Suffolk County Bar Association**  
Legislative and Law Review Committee meeting, 8 a.m., Law Students Committee meeting, 4 p.m., 340 Veterans Highway, Commack. For information: (516) 864-1800.

**New York Women's Bar Association**  
Meeting of the Committee on the Elderly and the Disabled, Surrogate's Court, Room 100, Chambers Street. For information: 431-9482.

**Columbian Lawyers Association**  
Lecture meeting and dinner for judges of Italian-Ancestry, 6:30 p.m., The Club, 8 East 69th Street.

**New York City Loft Bar Association**  
Meeting, 1 p.m., Municipal Building, One Centre Street. For information: 669-4300.

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