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8 pages

June 17, 1997

Ruth Hochberger, Editor-in-Chief
New York Law Journal
345 Park Avenue
New York, New York 10010

RE: Our May 22nd Proposed Perspective Column/Letter to the Editor

Dear Ms. Hochberger:

It has been almost four weeks since we sent you our prospective Perspective Column/Letter to the Editor. Inspired by Matthew Lifflander's February 24, 1997 Perspective Column "*Liars Go Free in the Courtroom*", our piece addressed a May 16, 1997 Letter to the Editor by a Deputy Attorney General, as well as a May 15, 1997 front-page notice in the Law Journal about the City Bar hearing on the Commission on Judicial Conduct. It described two state Article 78 proceedings and a §1983 federal action, *each* involving governmental corruption, in which the judicial process was brazenly obliterated by *liars* on the public payroll: in the Attorney General's office and sitting on the bench.

In pertinent part, our transmitting coverletter, dated May 22, 1997 (Exhibit "A-1"), stated:

"We would appreciate prompt notification confirming that the Law Journal will be publishing it, in either format, so that, if necessary, other arrangements can be made to get this extraordinary information -- *all of it documented* -- to the public and legal community¹. Should editorial changes be required, you may be assured of our complete cooperation." (emphasis in the original).

Indeed, prior thereto, we hand-delivered to you some of that documentation: a copy of our May 14th testimony before the City Bar and our May 5th letter to government and bar leaders, referred to therein (Exhibit "B").

Having heard nothing from you, I telephoned your office on May 30th and spoke with your assistant, Nicole Goldstein. On June 2nd, I sent you a fax, reiterating what I had told Ms. Goldstein (Exhibit "C"). On June 5th, I again left a message for you with Ms. Goldstein, with whom I spoke. On June 6th, I left a message for you on Ms. Goldstein's voice mail and, later that day, left a message for you with Ed Adams. Finally, on June 10th, I again spoke with Ms. Goldstein, with whom I left a

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A similar request was made by our May 23rd transmittal letter (Exhibit "A-2").

June 17, 1997

particularly extensive message. It is now almost a month since we submitted our May 22nd piece -- and a week since my last call -- but we have received no word from you whatever.

In my conversations with Ms. Goldstein, including last week, she told me that you are very busy -- and that you are the *only* one who can give us information about whether the Law Journal will publish our May 22nd proposed Perspective column/Letter to the Editor.

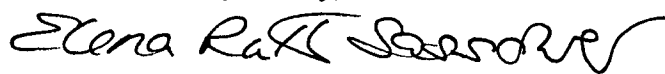
As I am sure Ms. Goldstein told you, we are waiting to hear from you so that we will know whether it will *again* be necessary for us to buy space on page three of the Law Journal and run our proposed piece as a paid ad -- as we did last November (Exhibit "D"). You will recall that our November 20th ad, "*A Call for Concerted Action*", was necessitated by the fact that you ignored our *repeated* telephone calls, over a period of many weeks, and our November 4th letter, inquiring as to whether our Letter to the Editor, which we had submitted on October 23rd, was going to be published. Only at the "the eleventh hour", *after* we had made arrangements to run our Letter to the Editor as a paid ad, at a cost to us of \$1,648,36, and *after* we had already spent hundreds of dollars of time for our staffer to do the layout, did we get a belated call from your assistant, Ashley Kim, saying that maybe you would consider running our Letter, if we shortened it. I described what happened last year to Ms. Goldstein and implored her to get an answer from you, one way or another, so that we would know how to proceed.

Indeed, weeks ago, I telephoned the Law Journal to ascertain the availability for a page three ad. I spoke with Peter Hano, Account Executive, who told me that Fridays are available. I told him that I was waiting to hear from you, but tentatively indicated our interest in publication as early as June 7th or June 13th. Each of those days have passed, without our having heard back from you.

Before more time passes, please let us hear from you so we will know what to do. As I stated in my phone messages and as reflected by my fax (Exhibit "C"), should the Law Journal not be willing to publish the transcendingly important information presented by our Perspective column -- all of it fully documented -- we request to know why. We wish to *accurately* communicate that information to Law Journal readers so that they will understand why we are put to the expense of an ad, now scheduled to run on Thursday, July 10, 1997

In the event we do not hear from you by the close of the day on Thursday, June 19th -- a full month since we first provided our proposed Perspective column/Letter to the Editor to you -- we will turn to Matthew Lifflander, a member of the Law Journal's Board of Editors, whose Perspective column was a clarion call for decisive action against the liars polluting the judicial process.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc.

Enclosures

cc: Peter Hano, Account Executive (fax: 212-481-8074).

P.S. In today's Law Journal, you print a Letter to the Editor by a former Assistant State Attorney General, which opens with the following:

“Attorney General Dennis Vacco’s worst enemy would not suggest that he tolerates unprofessional or irresponsible conduct by his assistants after the fact.”

And concludes by noting that whether there has been an increase in shoddy work by the Attorney General’s office, caused by mass firings and resignations, “is a question of fact, subject to verification”.

Ironically, our **Perspective** column, in describing how the Attorney General *personally* tolerates and is knowledgeable of his staff’s outright fraud and dishonesty in defending state defendants, who have no legitimate defense, repeatedly emphasized that such serious charges were all a matter of documentary proof: “readily-accessible file evidence” of cases, whose index and docket numbers we supplied.