

**C**ENTER for **J**UDICIAL **A**CCOUNTABILITY, INC.

Post Office Box 8101  
White Plains, New York 10602

Tel: 914-455-4373

E-Mail: [cja@judgewatch.org](mailto:cja@judgewatch.org)  
Website: [www.judgewatch.org](http://www.judgewatch.org)

BY E-MAIL

March 11, 2014

TO: New York State Assembly  
Robin Marilla, Records Access Officer

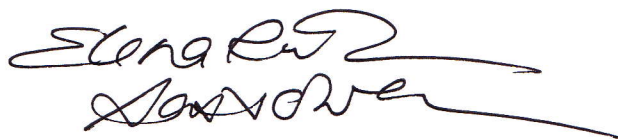
FROM: Elena Ruth Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)

RE: UPDATE: Legal Representation and Litigation  
against the Commission to Investigate Public Corruption

Pursuant to Assembly Rule VIII, "Public Access to Records", please furnish any subsequent records germane to our December 16, 2013 FOIL/records request.

For your convenience, enclosed are: (1) the December 16, 2013 FOIL/records request; (2) your December 23, 2013 response; (3) a February 23, 2014 article "*Silver spends more to resist corruption commission*" in Capital New York, by Jimmy Vielkind.

Thank you.



Enclosures

cc: Committee on Open Government  
ATT: Robert Freeman, Executive Director  
The Public & The Press

**C**ENTER *for* **J**UDICIAL **A**CCOUNTABILITY, INC.

Post Office Box 8101  
White Plains, New York 10602

Tel: 914-455-4373

E-Mail: [cja@judgewatch.org](mailto:cja@judgewatch.org)  
Website: [www.judgewatch.org](http://www.judgewatch.org)

BY E-MAIL

December 16, 2013

TO: New York State Senate  
Francis W. Patience, Secretary of the Senate  
  
New York State Assembly  
Robin Marilla, Records Access Officer

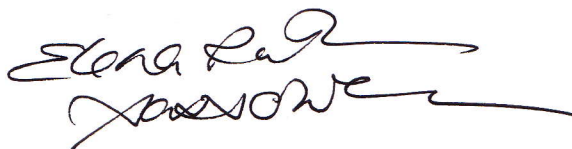
FROM: Elena Ruth Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)

RE: Retention of Counsel for Purposes of Legal Representation and Litigation  
against the Commission to Investigate Public Corruption

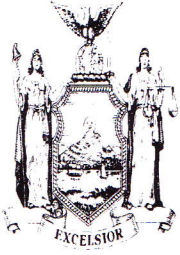
Pursuant to Senate Rule XV, "Freedom of Information", and Assembly Rule VIII, "Public Access to Records", please furnish all publicly accessible documents pertaining to the retention of the law firms Kirkland & Ellis, LLP (Michael J. Garcia, Esq.); Kasowitz, Benson, Torres & Friedman, LLP (Marc E. Kasowitz, Esq.); and Loeb & Loeb, LLP (Jay K. Musoff, Esq.) and any other law firms or attorneys for purposes of legal representation and litigation against the Commission to Investigate Public Corruption.

Please additionally furnish any resolutions passed by the Senate and Assembly with respect thereto.

Thank you.



cc: Committee on Open Government  
ATT: Robert Freeman, Executive Director  
The Public & The Press



**THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY**

Public Information Office  
Robin Marilla  
Records Access Officer

Room 202  
Legislative Office  
Building  
Albany, New York 12248  
(518) 455-4218

December 23, 2013

Dear Elena Sassower:

Your FOIL request dated December 16, 2013 was received on that date. You have requested all publicly accessible documents pertaining to the retention of the law firm Kirkland & Ellis, LLP; Kasowitz, Benson, Torres & Friedman, LLP; and Loeb & Loeb, LLP and any other law firms or attorneys for purposes of legal representation.

Attached please find the Justification for Contract between the New York State Assembly and Kasowitz, Benson, Torres & Friedman, LLP.

Additionally please note, there are no resolutions passed by the Assembly and Senate with respect thereto.

Sincerely,  
Robin Marilla



LOGIN

CITY HALL | ALBANY | MEDIA

# Silver spends more to resist corruption commission



Sheldon Silver. (AP Photo/Tim Roske)

By Jimmy Vielkind 10:22 p.m. | Feb. 23, 2014 1

ALBANY—Assembly Speaker Sheldon Silver will spend another \$300,000 of public money to assist several law firms—including the one that employs him—as they fight subpoenas from a state anti-corruption panel, state records show.

The heavily Democratic Assembly, where Silver has been speaker for 20 years, upped its contract with the firm of Kasowitz, Benson, Torres & Friedman **from \$55,000 to \$355,000 last week.**

An amendment was processed by the state comptroller's office on Thursday, the day before the latest round of papers were due in the ongoing legal battle between legislative employers and the Moreland Commission to Investigate Public Corruption, which Governor Andrew Cuomo convened in July. The commission has **issued 20 new subpoenas** last month in connection with reimbursement from campaign accounts, a source told the *Wall Street Journal*.

The commission last year subpoenaed **records from 30 businesses that pay legislators**, saying the outside employment of legislators creates a **“risk of criminal behavior”** because their work product is often intangible. Legislators have argued the commission—which does not have a separate budget line—exist to simply browbeat them in negotiations with Cuomo. On Friday, legislative leaders argued the subpoenas should be quashed because it is an **“usurpation”** of their constitutional lawmaking powers.

“While the Moreland Commission is conducting an illegitimate fishing expedition, we're

TELL MAYOR DE BLASIO: CHARTERS WORK

WATCH NOW

WATCH MORE STORIES

ChartersWork.org  
Paid for by Families for Excellent Schools

CHARTERS WORK

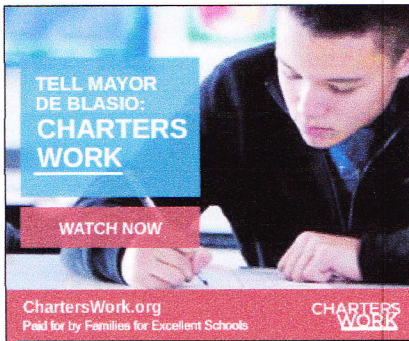
## MOST POPULAR

- 1 An ally comes forward, another steps back
- 2 Thomson says News Corp. will take it slow
- 3 Silver to include pre-K tax authorization in budget resolution
- 4 Astorino gets a quarter of Republican support
- 5 ESPN will launch 'Exit 31'

**MORE ON CAPITAL**

- Albany Pro: GOP chairs waiting on Trump; de Blasio signals retreat
- Capital New York bill tracker: Mar. 11
- An ally comes forward, another steps back

ADVERTISEMENT



**MORE:** ALBANY CORRUPTION MORELAND COMMISSION NEW YORK STATE ASSEMBLY SHELDON SILVER



Author: Jimmy Vielkind

**MORE IN ALBANY**

**Albany Pro: GOP chairs waiting on Trump; de Blasio signals retreat**

Silver spends more to resist corruption commission | Capital New York

going to retain counsel,” said Silver spokesman Michael Whyland. “It’s costing the state a lot of money, too.”

Kasowitz’s firm is working in conjunction with lawyers for the Senate Republican conference as well as its Independent Democratic Conference, who control the chamber in a coalition. Republicans have paid at least \$50,000 to Kirkland & Ellis, where former U.S. Attorney Michael Garcia is the lead attorney. The IDC would not say how much it has paid Loeb & Loeb, which represents it in the case against the commission.

The commissioners did not subpoena the legislative leaders; they were granted status as “intervenors” in the challenges brought by the private law firms.

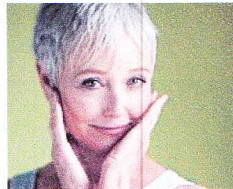
**AROUND THE WEB**

More From The Web

by Taboola



‘Warren Buffett Indicator’ Signals Collapse in Stock Market  
Moneynews



87 Year Old Personal Trainer Shares Her Secret To Losing Weight in 2014  
Health 1st



Lindsey Vonn Tells Vogue: No More Marriage  
ThePostGame



The 8 Biggest Film Box Office Disasters of All Time  
Wall St. Cheat Sheet

**MORE FROM CAPITAL**



Albany Regent steps down, leaving open seat



Silver to include pre-K tax authorization in budget resolution



Thanks to Common Core, a rare toss-up election for Regents



Astorino: Albany is a ‘cesspool,’ needs purging