

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, August 16, 2018 9:10 PM
To: 'Mike Diederich'
Cc: 'chrisgarvey1@verizon.net'
Subject: Thank you, Mike. Let's start over -- RE: Testing Your Fitness to be the Reform Party's Candidate for Attorney General
Attachments: 5-18-18-ltr-to-interim-ag-candidates.pdf

Dear Mike –

Thank you for your call to me, shortly after I sent you the below e-mail. I take this as a positive sign – and, on my own, I have removed the posting of my initial e-mail to you of today's date, reflecting our phone conversation – and have not posted, as I was about to before your call, your e-mail response to it – and my reply. I will not post any of these to your CJA webpage: <http://www.judgewatch.org/web-pages/elections/challengers/michael-diederich.htm> until next Friday, August 24th – so that you have a full week to reconsider your response, based on review of my May 16, 2018 NOTICE to Underwood – and what has happened since, all accessible here: <http://www.judgewatch.org/web-pages/searching-nys/2018-legislature/underwood.htm>.

Candidates aspiring to be attorney general must “blow the whistle” on the attorney general's *modus operandi* of litigation fraud, chronicled by the NOTICE – and on what Attorney General Underwood has been doing to corrupt the judicial process at the Appellate Division in so important a case – as to which the People have SUMMARY JUDGMENT on all ten causes of action.

There's plenty of time until the September 13th primary for you and Chris, as attorney general candidates seeking the Reform Party line, to use the “bully-pulpit” of your candidacy to “whistle-blow” – and, in so doing, force the other attorney general candidates to do likewise. The consequences will upend the 2018 elections for Cuomo, DiNapoli, and the incumbent legislators, all defendants in the citizen-taxpayer action, sued for their “grand larceny of the public fisc” and other corruption involving the budget, the judicial pay raises – and so much more. We can – and must – END the “culture of corruption” that has utterly disabled our state government – and betrayed the People – and the citizen-taxpayer action is the instrument for accomplishing it – changing the political scene, overnight, with a speed rivaling Schneiderman's resignation.

Thank you.

Elena
914-421-1200

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, August 16, 2018 5:50 PM
To: 'Mike Diederich' <mike@diederichlaw.com>
Cc: 'chrisgarvey1@verizon.net' <chrisgarvey1@verizon.net>
Subject: Your abusive, insulting e-mail -- RE: Testing Your Fitness to be the Reform Party's Candidate for Attorney General

TO: Would-Be Reform Party Attorney General Candidate Michael Diederich

This responds to your below abusive, insulting e-mail. Let me get this straight. Because you object to my subject line, you will not read beyond the subject line? Is that because the short content of my e-mail accurately describes our phone conversation, *to wit*,

“you appeared to dispute that the role of the attorney general is to ensure constitutional governance and...you hung up on me as I asked you whether you had ever read NY’s constitution pertaining to the state budget, an issue you appeared to be unconcerned about, as likewise unconcerned about the attorney general’s litigation fraud”.

You have not denied this description – and I daresay most voters – and certainly voters actually believing the Reform Party’s anti-corruption platform – would view such behavior as demonstrating your unfitness for the office of attorney general. Likewise, your despicable e-mail to me.

As for my credentials – and so-called “agenda” – they are also “open to the public” – reflected by more than a quarter of a century of self-less, in-the-trenches civic advocacy, posted on the Center for Judicial Accountability’s website, www.judgewatch.org. This includes a succession of public interest lawsuits I have undertaken “on behalf of the People of the State of New York and the Public Interest” – defended by the attorney general – and culminating in a 2nd citizen-taxpayer action whose ten causes of action challenge the constitutionality and lawfulness of New York’s \$160 billion state budget – and of the commission-based judicial salary increases it embeds, whose cost to New York taxpayers, since April 1, 2012, is more than \$300 million – and currently growing at a yearly rate of \$70 million.

So that the record is clear, you view such lawsuit – and how it was defended by the attorney general’s office – as my “personal interest[]”.

Elena Sassower

From: Mike Diederich <mike@diederichlaw.com>
Sent: Thursday, August 16, 2018 2:16 PM
To: 'Center for Judicial Accountability, Inc. (CJA)' <elena@judgewatch.org>
Cc: chrisgarvey1@verizon.net

Subject: Testing Your Fitness to be the Reform Party's Candidate for Attorney General

Dear Elena,

Sorry, I am not reading beyond the subject line. As far as I know, you are one person with an agenda. My credentials are open to the public. I do not have the time now to address your personal interests. If you represented an organization with many members (e.g., in the 1,000s), I would consider spending some time in addressing concerns. But I don’t have time to spend on answering individual requests that begin “Testing your Fitness...” Who are you to “test” Mr. Garvey’s or my or any other candidate’s fitness? The answer is that you are a voter, and so if you don’t like what I stand for, write about it and vote for someone else.

If you ever represent a group with a significant number of actual members, let me know and we can revisit the conversation if you wish. I agree with the concept of “judicial accountability,” and also “governmental accountability.” My suggestion is you get actual followers/members and raise money to promote whatever lofty ideals you stand for. Good luck to you.

Mike D

Michael Diederich, Jr., Esq.
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From: Center for Judicial Accountability, Inc. (CJA) [<mailto:elena@judgewatch.org>]

Sent: Thursday, August 16, 2018 12:36 PM

To: mike@diederichlaw.com

Cc: chrisgarvey1@verizon.net

Subject: Testing Your Fitness to be the Reform Party's Candidate for Attorney General

TO: Would-Be Reform Party Attorney General Candidate Michael Diederich

Following up our phone conversation – in which you appeared to dispute that the role of the attorney general is to ensure constitutional governance and in which you hung up on me as I asked you whether you had ever read NY's constitution pertaining to the state budget, an issue you appeared to be unconcerned about, as likewise unconcerned about the attorney general's litigation fraud -- below is the e-mail I sent you almost three months ago, with my May 18, 2018 letter attached. Did you read it? If not, please read it now – and furnish your response. As stated:

“...no candidate may be deemed qualified who takes no investigative and remedial action upon being given NOTICE AND EVIDENTIARY PROOF that the attorney general's office not only fails in its duty to uphold the law, but actively subverts the law and abets corruption at the highest levels of our state government.

Do you disagree?” (bold in the original).

The webpage I have created for your Reform Party candidacy to be New York's next attorney general – on which I will post your response -- is here: <http://www.judgewatch.org/web-pages/elections/challengers/michael-diederich.htm>. The record of the second citizen-taxpayer action – now at the Appellate Division, Third Department on a perfected appeal – is here: <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2nd/menu-2nd-citizen-taxpayer-action.htm> – and from my July 25, 2018 order to show cause – and the proceedings thereon – you can have a “front-row-seat” on her lock-step continuation of the litigation fraud that was the subject of my May 16, 2018 NOTICE, to which I alerted her – and you.

Thank you.

Elena Sassower, Director

Center for Judicial Accountability, Inc. (CJA)

www.judgewatch.org

914-421-1200

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Sent: Friday, May 18, 2018 6:21 PM

To: 'abinantit@nyassembly.gov' <abinantit@nyassembly.gov>; 'OdonnellD@nyassembly.gov'

<OdonnellD@nyassembly.gov>; 'eholtzman@herrick.com' <eholtzman@herrick.com>;

'lconstantine@constantinecannon.com' <lconstantine@constantinecannon.com>; 'dorislingcohan@gmail.com'

<dorislingcohan@gmail.com>; 'mike@diederichlaw.com' <mike@diederichlaw.com>; 'ngueron@cgr-law.com'

<ngueron@cgr-law.com>; 'humbacht@co.rockland.ny.us' <humbacht@co.rockland.ny.us>; 'jpstergion@hotmail.com'

<jpstergion@hotmail.com>

Cc: 'Barbara.Underwood@ag.ny.gov' <Barbara.Underwood@ag.ny.gov>; 'Janet.Sabel@ag.ny.gov'

<Janet.Sabel@ag.ny.gov>; 'Kent.Stauffer@ag.ny.gov' <Kent.Stauffer@ag.ny.gov>; 'Meg.Levine@ag.ny.gov'

<Meg.Levine@ag.ny.gov>; 'Jeffrey.Dvorin' <Jeffrey.Dvorin@ag.ny.gov>; 'Adrienne Kerwin'

<Adrienne.Kerwin@ag.ny.gov>; 'Helena.Lynch@ag.ny.gov' <Helena.Lynch@ag.ny.gov>; 'Brian.Mahanna@ag.ny.gov'

<Brian.Mahanna@ag.ny.gov>; 'Alvin.Bragg@ag.ny.gov' <Alvin.Bragg@ag.ny.gov>; 'Martin.Mack@ag.ny.gov' <Martin.Mack@ag.ny.gov>; 'Matthew.Colangelo@ag.ny.gov' <Matthew.Colangelo@ag.ny.gov>; 'Margaret.Garnett@ag.ny.gov' <Margaret.Garnett@ag.ny.gov>; 'manisha.sheth@ag.ny.gov' <manisha.sheth@ag.ny.gov>

Subject: Testing the Fitness of Acting Attorney General Barbara Underwood -- & Every Other Candidate for Interim Attorney General

TO: Interim Attorney General Candidates Abinanti, O'Donnell, Holtzman, Constantine, Ling-Cohan, Diederich, Gueron, Humbacht, Stergion

Attached is my above-entitled letter of today's date, addressed to you – to which Acting Attorney General Underwood is an indicated recipient. CJA's webpage for the letter is accessible from our homepage, www.judgewatch.org, via the center link for the "2018 Legislative Session". Scroll down on that menu page to the link entitled "Picking an Interim Attorney General that Won't Indict Them All". Here it is, directly: <http://www.judgewatch.org/web-pages/searching-nys/2018-legislature/picking-a-new-ag.htm>.

The webpage for my May 16th letter to Acting Attorney General Underwood, posting ALL referred-to EVIDENTIARY PROOF, is accessible from that webpage, as well. The direct link, however, is here: <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/complaints-notice/5-16-18-notice-to-underwood.htm>.

I am available to answer your questions and assist you, so that you may do right by the People of the State of New York, whose interim attorney general you seek to be.

Finally, if you have e-mail addresses for Candidates Eve and Malik – each "no shows" at the May 15-16 interviews – I would appreciate your forwarding this e-mail to them. Likewise, to Candidate Zapesochny, who I have contacted, but have not heard back from.

Thank you.

Elena Sassower, Director
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914-421-1200