

**Elena Ruth Sassower**

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December 15, 2009

Appellate Term, Second Judicial Department  
141 Livingston Street, 15<sup>th</sup> Floor  
Brooklyn, New York 11201

ATT: Paul Kenny, Chief Clerk

RE: Calendaring of Oral Argument: Wednesday, December 16, 2009

*John McFadden v. Elena Sassower*

Appellate Term #2008-1428-WC;

#2008-1433-WC

(White Plains City Court #SP-1502/07)

*John McFadden v. Doris L. Sassower & Elena Sassower*

Appellate Term #2008-1427-WC;

#2009-148-WC

(White Plains City Court #SP-651/89; SP-2008-1474)

Dear Mr. Kenny,

This confirms my advice to Senior Court Clerk Julio Mejia yesterday morning that I was withdrawing the request made by my December 8<sup>th</sup> letter to you that my above four appeals be placed at the beginning of the Court's December 16<sup>th</sup> calendar. Such request is no longer necessary because the New York State Senate Judiciary Committee's December 16<sup>th</sup> hearing on the Commission on Judicial Conduct and attorney disciplinary system – at which I was scheduled to testify – has been cancelled. Enclosed is the Senate Judiciary Committee's posted cancellation notice.

Thank you for your consideration.



Enclosure

cc: Leonard A. Sclafani, Esq.

Doris L. Sassower

New York State Attorney General Andrew Cuomo

ATT: Assistant Solicitor General Diana R.H. Winters



NEW YORK STATE SENATOR  
**JOHN L. SAMPSON**  
DEMOCRATIC CONFERENCE LEADER, (D, WF) 19TH SENATE DISTRICT

**NY SENATE HOMEPAGE**

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## PUBLIC HEARING TO BE RESCHEDULED

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*Wednesday, December 16th, 2009, 10:00 am - 4:00 pm*

*NYS Senate Hearing Room  
250 Broadway 19th Floor Hearing Room  
New York, NY, 10007  
United States  
Phone: 518-455-2788  
Fax: 518-426-6806  
40° 43' 11.9028" N, 74° 0' 21.0132" W  
See map: [Google Maps](#)*

*(<http://maps.google.com?q=40.719973+-74.005837+%28250+Broadway,+New+York,NY%2C+10007%2C-us%29>)*

**\*\*\*\*\*CANCELLED\*\*\*\*\***

**\*\*\*\*\*TO BE RESCHEDULED\*\*\*\*\***

### SENATE STANDING COMMITTEE ON THE JUDICIARY

#### NOTICE OF PUBLIC HEARING

**SUBJECT:** The Appellate Division First Department Departmental Disciplinary Committee, the grievance committees of the various Judicial Districts and the New York State Commission on Judicial Conduct

**PURPOSE:** This hearing will review the mission, procedures and level of public satisfaction with the Appellate Division First Department Departmental Disciplinary Committee, the grievance committees of the various Judicial Districts as well as the New York State Commission on Judicial Conduct

**New York City**

**Wednesday, December 16, 2009**

**10 A.M.**

**250 Broadway, 19th Floor Hearing Room**

**New York, New York 10007**

### ORAL TESTIMONY BY INVITATION ONLY

The Appellate Division of the Supreme Court is the entity that is legally responsible for enforcing the Rules of Professional Conduct governing the conduct of attorneys in New York State. The Appellate Division Departments have created grievance committees that are charged with the investigation of complaints against attorneys. Within the First Judicial Department the Departmental Disciplinary Committee of the Appellate Division investigates complaints against attorneys. The New York State Commission on Judicial Conduct was created by the State Constitution and is charged with investigating complaints against Judges and Justices of the Unified Court System.

According to the 2009 Report of the Commission on Judicial Conduct, there were 1,923 complaints filed in 2008. Yet of these complaints only 262 were investigated and of those, 173 were dismissed. This hearing will examine the processes and procedures that are followed by the various agencies charged with the responsibility of enforcing the rules and regulations that must be followed by the Judiciary and the Bar in the State of New York. It will also evaluate public satisfaction with the disciplinary process.



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[Floor Calendars](#)

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