

Center for Judicial Accountability

From: Center for Judicial Accountability <elena@judgewatch.org>
Sent: Wednesday, April 02, 2014 12:51 PM
To: 'Adrienne Kerwin'
Cc: 'James B. McGowan'
Subject: Please check your inbox -- CJA v. Cuomo/citizen-taxpayer action: 1788-14
Attachments: 3-31-14-email-message-fax-receipt.pdf

Dear Ms. Kerwin,

Thank you for advising that the State Attorney General is also representing the State Comptroller. I will separately write with respect to the duty of both the State Attorney General and the State Comptroller to be intervening, on behalf of the People of the State of New York, in support of the plaintiffs, who they should be representing, because there is NO "merits" defense to this citizen-taxpayer action.

Please advise who at the Attorney General's office is independently determining the "interest of the state", pursuant to Executive Law §63.1. By now, you and Mr. McGowan should be notifying Attorney General Schneiderman, Comptroller DiNapoli, and the other defendants, that this citizens-taxpayer action is an open-and-shut, *prima facie*, summary judgment case for plaintiffs – and that plaintiffs' Notice to Furnish the Court with Papers pursuant to CPLR §2214(c) reinforces that fact.

As for your statement that you were "not copied" on my "6:08 pm email", you certainly were. Attached is a copy of that 6:08 pm e-mail, the original of which should be in your inbox. As for "not [being] copied on the 4:25 pm letter to Judge Lynch", it was attached to the 6:08 pm e-mail – and the first sentence of the e-mail itself identifies that you and Assistant Attorney General McGowan were being "herewith" furnished with my 4:22 pm faxed letter to Judge Lynch.

For your further convenience, I will re-send the original 6:08 pm e-mail, with its attached 4:22 pm faxed letter to Judge Lynch -- which should be in your inbox.

Thank you.

Elena Sassower, Plaintiff *Pro Se*
914-455-4373

From: Adrienne Kerwin [<mailto:Adrienne.Kerwin@ag.ny.gov>]
Sent: Wednesday, April 02, 2014 11:32 AM
To: 'Center for Judicial Accountability'
Cc: James B. McGowan
Subject: RE: CJA v. Cuomo/citizen-taxpayer action: 1788-14

Ms. Sassower,

Please be advised that my office is also representing the Office of the State Comptroller in this matter. Therefore, please direct all communications relating to the Office of the Comptroller to my office.

Additionally, I was not copied on the 4:25 pm letter to Judge Lynch or the 6:08 pm email to his chambers referenced in the court's most recent letter to the parties. Please provide me with copies of both.

Thank you.