

## Center for Judicial Accountability, Inc. (CJA)

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**From:** Brodie, Frederick <Frederick.Brodie@ag.ny.gov>  
**Sent:** Monday, June 18, 2018 1:22 PM  
**To:** Center for Judicial Accountability, Inc. (CJA)  
**Cc:** Paladino, Victor; Underwood, Barbara; Sabel, Janet; Stauffer, Kent; Levine, Meg; Dvorin, Jeffrey; Kerwin, Adrienne; Lynch, Helena; Mahanna, Brian; Bragg, Alvin; Mack, Marty; Colangelo, Matthew; Garnett, Margaret; Sheth, Manisha  
**Subject:** RE: Frederick Brodie -- OSC/with preliminary injunction & TRO to be presented to the Appellate Division, 3rd Dept -- Citizen-Taxpayer Action: CJA v. Cuomo, et al (Albany Co. #5122-16)

Dear Ms. Sassower,

I have been assigned to the following appeals:

1. CJA v. Cuomo, Index #5122-16, appeal from Decision & Order and Amended Decision & Order dated May 5, 2017
2. CJA v. Cuomo, Index #5122-16, appeal from Decision & Order dated June 26, 2017
3. CJA v. Cuomo, Index #5122-16, appeal from Decision and Judgment dated November 28, 2017

Victor Paladino has forwarded to me your email of today containing draft contents and a draft stipulation to the record. I am reviewing it now and will respond with comments.

My contact information is contained in the signature block below. Please communicate with me by email rather than phone, however.

(There is no need to copy any of the "ccs" except for Mr. Paladino in further communications. I am copying them on this email so they'll know this matter is being addressed.)

Thanks very much,

Frederick A. Brodie  
Assistant Solicitor General  
New York State Office of the Attorney General  
Appeals & Opinions Bureau  
The Capitol  
Albany, NY 12224-0341  
(518) 776-2317  
[Frederick.Brodie@ag.ny.gov](mailto:Frederick.Brodie@ag.ny.gov)

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**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>  
**Sent:** Monday, June 18, 2018 1:04 PM  
**To:** Brodie, Frederick <Frederick.Brodie@ag.ny.gov>  
**Cc:** Paladino, Victor <Victor.Paladino@ag.ny.gov>; Underwood, Barbara <Barbara.Underwood@ag.ny.gov>; Sabel, Janet <Janet.Sabel@ag.ny.gov>; Stauffer, Kent <Kent.Stauffer@ag.ny.gov>; Levine, Meg <Meg.Levine@ag.ny.gov>; Dvorin, Jeffrey <Jeffrey.Dvorin@ag.ny.gov>; Kerwin, Adrienne <Adrienne.Kerwin@ag.ny.gov>; Lynch, Helena <Helena.Lynch@ag.ny.gov>; Mahanna, Brian <Brian.Mahanna@ag.ny.gov>; Bragg, Alvin <Alvin.Bragg@ag.ny.gov>;

Mack, Marty <Marty.Mack@ag.ny.gov>; Colangelo, Matthew <Matthew.Colangelo@ag.ny.gov>; Garnett, Margaret <Margaret.Garnett@ag.ny.gov>; Sheth, Manisha <Manisha.Sheth@ag.ny.gov>  
**Subject:** ATT: Frederick Brodie -- OSC/with preliminary injunction & TRO to be presented to the Appellate Division, 3rd Dept -- Citizen-Taxpayer Action: CJA v. Cuomo, et al (Albany Co. #5122-16)

**TO: Frederick Brodie/Appeals Bureau –**

Are you representing the defendants-respondents in the citizen-taxpayer action *CJA v. Cuomo, et al* (Albany Co. #5122-16) – as Assistant Solicitor General Paladino appears to indicate by his below e-mail?

Kindly confirm and furnish me with your phone number so that we may speak directly.

Thank you.

Elena Sassower, unrepresented plaintiff-appellant,  
acting on her own behalf and “on behalf of the People of the State of New York & the Public Interest”  
914-421-1200  
[elena@judgewatch.org](mailto:elena@judgewatch.org)

**From:** Paladino, Victor <[Victor.Paladino@ag.ny.gov](mailto:Victor.Paladino@ag.ny.gov)>  
**Sent:** Monday, June 18, 2018 12:43 PM  
**To:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Cc:** Brodie, Frederick <[Frederick.Brodie@ag.ny.gov](mailto:Frederick.Brodie@ag.ny.gov)>  
**Subject:** RE: OSC/with preliminary injunction & TRO to be presented to the Appellate Division, 3rd Dept -- Citizen-Taxpayer Action: CJA v. Cuomo, et al (Albany Co. #5122-16)

Ms. Sassower, the attorney in the appeals bureau assigned to handle these appeals on behalf of the respondents is Frederick Brodie. His email address is [Frederick.Brodie@ag.ny.gov](mailto:Frederick.Brodie@ag.ny.gov)

**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Monday, June 18, 2018 12:09 PM  
**To:** Paladino, Victor <[Victor.Paladino@ag.ny.gov](mailto:Victor.Paladino@ag.ny.gov)>  
**Cc:** Underwood, Barbara <[Barbara.Underwood@ag.ny.gov](mailto:Barbara.Underwood@ag.ny.gov)>; Sabel, Janet <[Janet.Sabel@ag.ny.gov](mailto:Janet.Sabel@ag.ny.gov)>; Stauffer, Kent <[Kent.Stauffer@ag.ny.gov](mailto:Kent.Stauffer@ag.ny.gov)>; Levine, Meg <[Meg.Levine@ag.ny.gov](mailto:Meg.Levine@ag.ny.gov)>; Dvorin, Jeffrey <[Jeffrey.Dvorin@ag.ny.gov](mailto:Jeffrey.Dvorin@ag.ny.gov)>; Kerwin, Adrienne <[Adrienne.Kerwin@ag.ny.gov](mailto:Adrienne.Kerwin@ag.ny.gov)>; Lynch, Helena <[Helena.Lynch@ag.ny.gov](mailto:Helena.Lynch@ag.ny.gov)>; Mahanna, Brian <[Brian.Mahanna@ag.ny.gov](mailto:Brian.Mahanna@ag.ny.gov)>; Bragg, Alvin <[Alvin.Bragg@ag.ny.gov](mailto:Alvin.Bragg@ag.ny.gov)>; Mack, Marty <[Marty.Mack@ag.ny.gov](mailto:Marty.Mack@ag.ny.gov)>; Colangelo, Matthew <[Matthew.Colangelo@ag.ny.gov](mailto:Matthew.Colangelo@ag.ny.gov)>; Garnett, Margaret <[Margaret.Garnett@ag.ny.gov](mailto:Margaret.Garnett@ag.ny.gov)>; Sheth, Manisha <[Manisha.Sheth@ag.ny.gov](mailto:Manisha.Sheth@ag.ny.gov)>

**Subject:** OSC/with preliminary injunction & TRO to be presented to the Appellate Division, 3rd Dept -- Citizen-Taxpayer Action: CJA v. Cuomo, et al (Albany Co. #5122-16)

**TO: Assistant Solicitor General Victor Paladino**  
(518) 776-2012

This follows up the voice mail message I left for you a short time ago.

Below is my self-explanatory June 14, 2018 e-mail to Attorney General Underwood and her senior supervisory and managerial staff, with its above four attachments, requesting to be “promptly” advised as to who is representing the defendants in connection with plaintiffs’ January 10, 2018 notice of appeal to the Appellate Division, Third Department in the citizen-taxpayer action *CJA v. Cuomo, et al*. (Albany Co. Index #5122-16) – to which I have received no response.

As nearly three years ago you were the assistant solicitor general representing the defendants in our predecessor citizen-taxpayer action *CJA v. Cuomo, et al* (Albany Co. Index #1788-14), perhaps you are – or will be – representing them now. For your convenience, CJA’s webpage posting your response to our August 15, 2015 motion for an enlargement and settlement conference in connection with our November 17, 2014 notice of appeal -- and the Appellate Division’s September 25, 2015 decision -- is here: <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/1st/appeal/appeal-app-div3.htm>.

Please advise, as soon as possible, as I have a tremendous amount of work to do to prepare the record on appeal and appendix for printing – which I cannot proceed with until discussions are had with defense counsel.

Thank you.

Elena Sassower, unrepresented plaintiff-appellant,  
acting on her own behalf and “on behalf of the People of the State of New York & the Public Interest”  
914-421-1200  
[elena@judgewatch.org](mailto:elena@judgewatch.org)

**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Thursday, June 14, 2018 9:26 AM  
**To:** 'Barbara.Underwood@ag.ny.gov' <[Barbara.Underwood@ag.ny.gov](mailto:Barbara.Underwood@ag.ny.gov)>  
**Cc:** 'Janet.Sabel@ag.ny.gov' <[Janet.Sabel@ag.ny.gov](mailto:Janet.Sabel@ag.ny.gov)>; 'Kent.Stauffer@ag.ny.gov' <[Kent.Stauffer@ag.ny.gov](mailto:Kent.Stauffer@ag.ny.gov)>; 'Meg.Levine@ag.ny.gov' <[Meg.Levine@ag.ny.gov](mailto:Meg.Levine@ag.ny.gov)>; 'Jeffrey Dvorin' <[Jeffrey.Dvorin@ag.ny.gov](mailto:Jeffrey.Dvorin@ag.ny.gov)>; 'Adrienne Kerwin' <[Adrienne.Kerwin@ag.ny.gov](mailto:Adrienne.Kerwin@ag.ny.gov)>; 'Helena.Lynch@ag.ny.gov' <[Helena.Lynch@ag.ny.gov](mailto:Helena.Lynch@ag.ny.gov)>; 'Brian.Mahanna@ag.ny.gov' <[Brian.Mahanna@ag.ny.gov](mailto:Brian.Mahanna@ag.ny.gov)>; 'Alvin.Bragg@ag.ny.gov' <[Alvin.Bragg@ag.ny.gov](mailto:Alvin.Bragg@ag.ny.gov)>; 'marty.mack@ag.ny.gov' <[marty.mack@ag.ny.gov](mailto:marty.mack@ag.ny.gov)>; 'Matthew.Colangelo@ag.ny.gov' <[Matthew.Colangelo@ag.ny.gov](mailto:Matthew.Colangelo@ag.ny.gov)>; 'Margaret.Garnett@ag.ny.gov' <[Margaret.Garnett@ag.ny.gov](mailto:Margaret.Garnett@ag.ny.gov)>; 'manisha.sheth@ag.ny.gov' <[manisha.sheth@ag.ny.gov](mailto:manisha.sheth@ag.ny.gov)>

**Subject: NOTICE: OSC/with preliminary injunction & TRO to be presented to the Appellate Division, 3rd Dept -- Citizen-Taxpayer Action: CJA v. Cuomo, et al (Albany Co. #5122-16)**

**TO: Attorney General Barbara Underwood**

I have received no response from you to my above-attached May 16, 2018 letter/NOTICE and May 30, 2018 letter concerning CJA’s (2<sup>nd</sup>) citizen-taxpayer action, to which your predecessor, Attorney General Schneiderman, is a named defendant, sued for corruption, in office.

This is to give you NOTICE that two weeks from today, on June 28, 2018, or shortly thereafter, I am intending to file plaintiffs’ perfected appeal of Judge Hartman’s November 28, 2017 decision & judgment at the Appellate Division, Third Department and -- based on its showing of plaintiffs’ entitlement, *as a matter of law*, to summary judgment on each of the ten causes of action of their September 2, 2016 verified complaint and on each of the reiterated ten causes of action of their March 29, 2017 verified supplemental complaint-- to accompany it with an order to show cause for a preliminary injunction, with TRO, pursuant to CPLR §5518, to enjoin the ongoing larcenous disbursements of taxpayer monies to fund the statutorily-violative, fraudulent, and unconstitutional commission-based judicial salary increases – and the district attorney salary increases linked thereto.

So that you will be fully prepared to proceed, on that date, I herewith furnish you with plaintiffs’ “Questions Presented” and appellate brief, which I have already drafted. It is posted on CJA’s website, [www.judgewatch.org](http://www.judgewatch.org), accessible here: <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/complaints-notice/moving-forward-appeal.htm>.

As I cannot finalize the draft brief until the record is finalized, attached is the table of contents for the record – and the stipulation pursuant to CPLR §5532 that I have prepared for signature.

Unless you are planning to personally handle the appeal, please promptly advise who will be handling it, on your behalf, for the respondents, so that we can agree to a further stipulation to dispense with superfluous exhibits.

Thank you.

Elena Sassower,

unrepresented plaintiff-appellant, acting on her own behalf and “on behalf of the People of the State of New York & the Public Interest”.

914-421-1200

[elena@judgewatch.org](mailto:elena@judgewatch.org)

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

**Sent:** Wednesday, June 6, 2018 12:33 PM

**To:** 'Barbara.Underwood@ag.ny.gov' <[Barbara.Underwood@ag.ny.gov](mailto:Barbara.Underwood@ag.ny.gov)>

**Cc:** 'Janet.Sabel@ag.ny.gov' <[Janet.Sabel@ag.ny.gov](mailto:Janet.Sabel@ag.ny.gov)>; 'Kent.Stauffer@ag.ny.gov' <[Kent.Stauffer@ag.ny.gov](mailto:Kent.Stauffer@ag.ny.gov)>;

'Meg.Levine@ag.ny.gov' <[Meg.Levine@ag.ny.gov](mailto:Meg.Levine@ag.ny.gov)>; 'Jeffrey Dvorin' <[Jeffrey.Dvorin@ag.ny.gov](mailto:Jeffrey.Dvorin@ag.ny.gov)>; 'Adrienne Kerwin'

<[Adrienne.Kerwin@ag.ny.gov](mailto:Adrienne.Kerwin@ag.ny.gov)>; 'Helena.Lynch@ag.ny.gov' <[Helena.Lynch@ag.ny.gov](mailto:Helena.Lynch@ag.ny.gov)>; 'Brian.Mahanna@ag.ny.gov'

<[Brian.Mahanna@ag.ny.gov](mailto:Brian.Mahanna@ag.ny.gov)>; 'Alvin.Bragg@ag.ny.gov' <[Alvin.Bragg@ag.ny.gov](mailto:Alvin.Bragg@ag.ny.gov)>; 'marty.mack@ag.ny.gov'

<[marty.mack@ag.ny.gov](mailto:marty.mack@ag.ny.gov)>; 'Matthew.Colangelo@ag.ny.gov' <[Matthew.Colangelo@ag.ny.gov](mailto:Matthew.Colangelo@ag.ny.gov)>;

'Margaret.Garnett@ag.ny.gov' <[Margaret.Garnett@ag.ny.gov](mailto:Margaret.Garnett@ag.ny.gov)>; 'manisha.sheth@ag.ny.gov'

<[manisha.sheth@ag.ny.gov](mailto:manisha.sheth@ag.ny.gov)>

**Subject: RE: What is the Status? -- CJA's May 16, 2018 letter/NOTICE: (1) disclosure of facts warranting independent/outside counsel; special prosecutor; (2) FOIL/records request**

**TO: Attorney General Barbara Underwood**

Following up my May 30, 2018 letter to you, sent by the below e-mail, this is to advise that CJA's website, [www.judgewatch.org](http://www.judgewatch.org), is now accessible – and, with it, the webpage I created for the May 30<sup>th</sup> letter, with links to the substantiating EVIDENTIARY PROOF. The direct link to the webpage is here: <http://www.judgewatch.org/web-pages/searching-nys/2018-legislature/5-30-18-ltr-to-underwood.htm>.

For the further convenience of all – and because of the importance of Article III, Section 10 of the NYS Constitution -- I have revised the May 30<sup>th</sup> letter (at p. 3) to include its relevant text:

“Each house of the legislature shall keep a journal of its proceedings, and publish the same...The doors of each house shall be kept open...”

The revised letter, otherwise identical to the original it supersedes, is attached – and posted on the webpage.

Apologies for any inconvenience.

Please let me hear from you by next Wednesday, June 13<sup>th</sup> as to how you are handling the serious corruption and misconduct issues presented by my May 16<sup>th</sup> and May 30<sup>th</sup> letters. I am available to assist you, to the fullest.

Thank you.

Elena Sassower, Director

Center for Judicial Accountability, Inc. (CJA)

[www.judgewatch.org](http://www.judgewatch.org)

914-421-1200

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

**Sent:** Wednesday, May 30, 2018 2:06 PM

**To:** 'Barbara.Underwood@ag.ny.gov' <[Barbara.Underwood@ag.ny.gov](mailto:Barbara.Underwood@ag.ny.gov)>

**Cc:** 'Janet.Sabel@ag.ny.gov' <[Janet.Sabel@ag.ny.gov](mailto:Janet.Sabel@ag.ny.gov)>; 'Kent.Stauffer@ag.ny.gov' <[Kent.Stauffer@ag.ny.gov](mailto:Kent.Stauffer@ag.ny.gov)>;

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**Subject: What is the Status? -- CJA's May 16, 2018 letter/NOTICE: (1) disclosure of facts warranting independent/outside counsel; special prosecutor; (2) FOIL/records request**

**TO: Attorney General Barbara Underwood**

Attached is my follow-up letter to you of today's date pertaining to my May 16, 2018 letter entitled:

**"NOTICE: Corruption and Litigation Fraud by Former Attorney General Eric Schneiderman and his Office – and Your Duty to Take Investigative and Remedial Action, most immediately, in the Citizen-Taxpayer Action *Center for Judicial Accountability, et al. v. Cuomo, ...Schneiderman, et al.* (Albany Co. #5122-16; RJI #01-16-122174) and pursuant to 'The Public Trust Act' (Penal Law §496: 'Corrupting the government')"**

The original is being priority mailed to you, with all enclosures – and will include the corrected May 16, 2018 letter (herein also attached) and its further enclosures, which I did not subsequently mail.

Everything is posted on CJA's website – and accessible from the webpages I created for my May 16, 2018 letter and this follow-up letter. Unfortunately, CJA's website is currently out-of-service. It should be back up either tomorrow or Friday – and I will notify you when it is. Fortunately, your office has ALL the original lawsuit files from which verification of the state of the record in CJA's above-entitled second citizen-taxpayer action can be readily verified – and your obligations with respect thereto.

I am available to assist you and would welcome the opportunity to meet with you personally to answer your questions about the EVIDENCE that is before you – and to do so under oath.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
914-421-1200

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