

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, December 18, 2019 10:55 AM
To: 'nyscompensation@gmail.com'
Cc: 'lmarks@nycourts.gov'; 'jshukin@nycourts.gov'; 'skerby@nycourts.gov';
'rmaldonado@nycbar.org'; 'rmaldonado@sgrlaw.com'; 'hgreenberg@nysba.org';
'greenbergh@gtlaw.com'
Subject: Today's 4 pm Commission meeting -- & my third supplemental submission in further support of my Nov. 4th testimony
Attachments: 11-26-19-email-to-commission-with-11-25-19-ltr-to-marks.pdf; 12-11-19-email-to-commission-with-attachments.pdf

TO: Commission on Legislative, Judicial & Executive Compensation

My November 26th and December 11th e-mails to you – each supplemental submissions in further support of my November 4th testimony – must top the agenda of your today's 4 pm meeting, as they are dispositive that not only can the Commission make NO pay raise recommendations, but that the Judiciary and judicial pay raise advocates have been engaged in pervasive fraud, including as to the supposedly minimal costs of COLAs.

Do you disagree? And will you, consistent with your duty, “blow the whistle” on what has been going on – identified by my November 4th testimony as “a grand larceny of the public fisc” involving, to date, “on the order of half a billion dollars” paid out in “fraudulent, statutorily-violative, and unconstitutional judicial pay raises” [Tr. 70] – the product of two commission reports that are each “false instrument(s), violative of a succession of Penal Laws and the Public Trust Act” [R.69] – and which would have been so-declared judicially and VOIDED but for the fact that since 2012, New York judges, in collusion with New York's attorney general, have upended all adjudicative standards to “throw” successive lawsuits for such declarations – the culminating lawsuit, *CJA v. Cuomo...DiFiore*, being now at the Court of Appeals, where the same obliteration of the rule of law has been happening.

And do you agree that if you do not do your duty to “whistle-blow” with respect to *CJA v. Cuomo...DiFiore*, “suing all three branches for collusion against the people with respect to these force of law commissions, a scheme, a corrupt and unconstitutional scheme to give pay raises to corrupt public officers who should be removed for their corruption in office” – challenging, as well “the Judiciary budget, which embeds, hides the pay raises, has hidden them, concealed their costs, the legislative budget, the entirety of the executive budget” whose record I identified as “Exhibit A” as to “how the Judiciary operates” [Tr. 65-66] – it is because of the conflicts of interest from which you suffer – and have not disclosed?

In that regard, I take this opportunity to slightly revise my November 4th testimony wherein I stated that “most of you are afflicted by conflict of interest” [Tr. 70]. In fact, ALL the Commissioners suffer from disqualifying conflicts of interest and demonstrated bias – except possibly one, Commissioner Madonia, ironically the sole Commissioner not physically or electronically present at the November 4th hearing. To enable you to confront this, CJA's webpages for this Commission: <http://www.judgewatch.org/web-pages/searching-nys/force-of-law-commissions/part-e-chapter60-laws-2015/menu-2019-2020-commission.htm> includes a webpage entitled “Informed Consent? – Appointment of Commissioners Disqualified for Interest and Bias” from which the EVIDENCE is accessible. The direct link is here: <http://www.judgewatch.org/web-pages/searching-nys/force-of-law-commissions/part-e-chapter60-laws-2015/informed-consent-disqualification.htm>.

By the way, the Commission's webpage of submissions: <http://nyscommissiononcompensation.org/Submissions-judicial.shtml> is seriously deficient, including by its failure to post my November 26th e-mail and December 11th e-mail as my first and second supplemental submissions. Above attached are the pdfs of those e-mails that I sent the Commission

on December 10th and 11th, expressly for such posting. Why have they not been posted? And why has the Commission still not corrected its posting of my submission on “Nov 4” to include my letter to the editor about the *CJA v. Cuomo...DiFiore citizen-taxpayer action*, at the Court of Appeals – “*A Call for Scholarship, Civic Engagement, & Amicus Curiae Before the NYCOA*”, published in the August 21, 2019 New York Law Journal [Tr. 65, 68] – about which I alerted the Commission by a December 4th e-mail. How about posting my three FOIL requests, one submitted on November 27th and two on December 9th – each further substantiating my November 4th testimony.

Please deem this e-mail, with its below e-mail from yesterday addressed to Chief Administrative Judge Marks and Chief Judge DiFiore, entitled “Housekeeping: Protecting the Commission on Legislative, Judicial & Executive Compensation from FRAUD: Have you responded to my Dec. 11th & Nov 26th e-mails?” – to which I cc’d the Commission – to be my third supplemental submission in support of my November 4th testimony. I will shortly send you a pdf to facilitate your posting it on the Commission’s website, which I also expressly request.

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: Tuesday, December 17, 2019 8:35 AM
To: 'lmarks@nycourts.gov' <lmarks@nycourts.gov>; 'jshukin@nycourts.gov' <jshukin@nycourts.gov>; 'skerby@nycourts.gov' <skerby@nycourts.gov>
Cc: 'nyscompensation@gmail.com' <nyscompensation@gmail.com>; 'rmaldonado@nycbar.org' <rmaldonado@nycbar.org>; 'rmaldonado@sgrlaw.com' <rmaldonado@sgrlaw.com>; 'hgreenberg@nysba.org' <hgreenberg@nysba.org>; 'greenbergh@gtlaw.com' <greenbergh@gtlaw.com>
Subject: Housekeeping: Protecting the Commission on Legislative, Judicial & Executive Compensation from FRAUD: Have you responded to my Dec. 11th & Nov 26th e-mails?

TO: Chief Administrative Judge Marks and Chief Judge DiFiore

I have received no response from you – or from the OCA’s records access officer – to my below December 11, 2019 e-mail entitled “Protecting the Commission from FRAUD -- CJA’s Second Supplemental Submission in Specific Rebuttal to Chief Administrative Judge Marks’ Nov. 22, 2019 Supplemental Submission”.

Did you respond to me or to the Commission? Please advise – and send me a copy of your response(s), if you did.

I also received no response from you to my November 26, 2019 e-mail – also below – transmitting my November 25, 2019 letter addressed to Chief Administrative Judge Marks entitled:

“Demand that You Withdraw Your Unsworn November 4, 2019 Testimony before the Commission on Legislative, Judicial and Executive Compensation as FRAUD, as Likewise Your Submission on which it was Based, Absent Your Denying or Disputing the Accuracy of My Sworn Testimony”.

Did you respond to me or to the Commission? Here, too, please advise – and send me a copy of your response(s), if you did.

For your convenience, the attachments to those two below e-mails are above – and everything is posted on CJA’s website, www.judgewatch.org, accessible from the prominent homepage link “NY’s ‘Force of Law’ Commissions –