

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, August 9, 2019 4:02 PM
To: 'letitia.james@ag.ny.gov'; 'Barbara.Underwood@ag.ny.gov'; 'Paladino, Victor'; 'Brodie, Frederick'
Subject: CJA v. Cuomo Citizen-Taxpayer Action -- Appellants' Aug. 8, 2019 Motion to Strike Your Fraudulent June 27, 2019 Memorandum in Opposition & Other Relief -- with FURTHER NOTICE TO ATTORNEY GENERAL JAMES
Attachments: 8-8-19-notice-aff-exhibit-list-14pp.pdf; 8-9-19-ltr-with-proposed-submission-analysis.pdf

TO: Attorney General Letitia James
Solicitor General Barbara Underwood
Assistant Solicitor General Victor Paladino
Assistant Solicitor General Frederick Brodie

The below e-mail exchange from July 3, 2019 is now Exhibit A to appellants' motion to strike as "fraud on the court" your June 27, 2019 memorandum in opposition. The August 8, 2019 notice of motion for that & other relief, consistent with my initial July 3, 2019 e-mail to you, is attached, with my moving affidavit. All exhibits – the most important being appellants' "legal autopsy"/analysis of the memorandum – are posted on CJA's webpage for the motion, here: <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2nd/ct-appeals/8-8-19-strike.htm>.

Additionally attached – and with the "legal autopsy"/analysis of your June 27, 2018 memorandum as its "proposed submission" – is my letter of today's date to Court of Appeals Chief Clerk/Legal Counsel Asiello, pursuant to the Court's Rule 500.7, entitled "AGAIN – Aiding the Court in Protecting Itself & Appellants...from the Litigation Fraud of the New York State Attorney General...& FURTHER NOTICE TO ATTORNEY GENERAL LETITIA JAMES". CJA's webpage for the letter is here: <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2nd/ct-appeals/8-9-19-ltr-notice.htm>.

The motion and letter are being mailed to you, today, from the post office.

Thank you.

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

From: Brodie, Frederick <Frederick.Brodie@ag.ny.gov>
Sent: Wednesday, July 3, 2019 12:25 PM
To: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Cc: Paladino, Victor <Victor.Paladino@ag.ny.gov>

Subject: RE: Follow-Up: NOTICE: Your Fraudulent Opposition to Appellants' May 31, 2019 & June 6, 2019 Motions -- CJA v. Cuomo Citizen-Taxpayer Action -- Attention Required by Attorney General James, Personally

Dear Ms. Sassower,

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As you know, this matter has been assigned to me. Therefore, you should not expect responses to your emails from others in the Attorney General's office.

Very truly yours,

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

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, July 3, 2019 11:35 AM
To: Brodie, Frederick <Frederick.Brodie@ag.ny.gov>
Cc: Underwood, Barbara <Barbara.Underwood@ag.ny.gov>; Paladino, Victor <Victor.Paladino@ag.ny.gov>

Subject: Follow-Up: NOTICE: Your Fraudulent Opposition to Appellants' May 31, 2019 & June 6, 2019 Motions -- CJA v. Cuomo Citizen-Taxpayer Action -- Attention Required by Attorney General James, Personally

Dear Assistant Solicitor General Brodie –

The responses I am interested in are from Attorney General James, Solicitor General Underwood, and Assistant Solicitor General Paladino, in that order. I await their responses, by e-mail – and their signatures in communications to me and the Court.

Elena Sassower, unrepresented plaintiff-appellant
on her own behalf, as director of the Center for Judicial Accountability, Inc.,
& on behalf of the People of the State of New York & the Public Interest
914-421-1200
elena@judgewatch.org

From: Brodie, Frederick <Frederick.Brodie@ag.ny.gov>
Sent: Wednesday, July 3, 2019 11:18 AM
To: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Cc: Paladino, Victor <Victor.Paladino@ag.ny.gov>

Subject: RE: NOTICE: Your Fraudulent Opposition to Appellants' May 31, 2019 & June 6, 2019 Motions -- CJA v. Cuomo Citizen-Taxpayer Action -- Attention Required by Attorney General James, Personally

Dear Ms. Sassower,

In response to your email below, I disagree with the assertion that defendants' opposition memorandum is "fraudulent." The arguments in the memorandum are based on case law and facts from the record, and the memorandum contains appropriate citations to both.

If you disagree with the content of defendants' memorandum, you are free to submit reply papers. Defendants will not withdraw their filing, and will oppose any motion to strike it.

Very truly yours,

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

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

Sent: Wednesday, July 3, 2019 9:47 AM

To: Underwood, Barbara <Barbara.Underwood@ag.ny.gov>; Paladino, Victor <Victor.Paladino@ag.ny.gov>; Brodie, Frederick <Frederick.Brodie@ag.ny.gov>

Subject: NOTICE: Your Fraudulent Opposition to Appellants' May 31, 2019 & June 6, 2019 Motions -- CJA v. Cuomo Citizen-Taxpayer Action -- Attention Required by Attorney General James, Personally

TO: Solicitor General Barbara Underwood
Assistant Solicitor General Victor Paladino
Assistant Solicitor General Frederick Brodie

This is to give you NOTICE of what I have already apprised the Court of Appeals, *via* its Motion Clerk, Rachel MacVean, Esq., namely, that Attorney General James' June 27, 2019 "Memorandum in Opposition to Motions for (i) Leave to Appeal; and (ii) Reargument/Renewal and Other Relief – bearing your names and signed by Assistant Solicitor General Brodie – is, from beginning to end, and in virtually every line, a "fraud on the court" – and unless it is withdrawn, I will make a motion to strike it on that ground and seek maximum sanctions, costs, and damages against each of you, pursuant to 22 NYCRR §130-1.1 and Judiciary Law §487, as well as disciplinary and criminal referrals, pursuant to §100.3D(2) of the Chief Administrator's Rules, for willful violation of New York's Rules of Professional Conduct for Attorneys (22 NYCRR Part 1200) and, specifically, Rule 3.1 "Non-Meritorious Claims and Contentions"; Rule 3.3 "Conduct Before A Tribunal"; Rule 8.4 "Misconduct"; Rule 5.1 "Responsibilities of Law Firms, Partners, Managers and Supervisory Lawyers"; and Rule 5.2 "Responsibilities of a Subordinate Lawyer" and of New York's penal laws, including Penal Law §175.35 "offering a false instrument for filing in the first degree"; Penal Law §195 "official misconduct"; Penal Law §496 "corrupting the government"; Penal Law §195.20 "defrauding the government"; Penal Law §190.65: "scheme to defraud in the first degree"; Penal Law §155.42 "grand larceny in the first degree"; Penal Law §105.15 "conspiracy in the second degree; and Penal Law §20 "criminal liability for conduct of another".

As previously requested, and so there is no doubt as to Attorney General James' actual knowledge of what has been going on, in her name – and her criminal and disciplinary culpability therefor – please immediately forward this e-mail to her.

Thank you.

Elena Sassower, unrepresented plaintiff-appellant
on her own behalf, as director of the Center for Judicial Accountability, Inc.,
& on behalf of the People of the State of New York & the Public Interest