

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss:

ELENA RUTH SASSOWER, being duly sworn, deposes and says:

I am the unrepresented individual plaintiff-appellant herein, over 18 years of age, and reside in the State of New York.

On October 23, 2018, I served a copy of Appellants' notice of motion, with its appended order to show cause that Associate Justice Aarons declined to sign – and on October 18, 2018, served the full order to show cause, with moving affidavit and exhibits

upon: Attorney General Barbara Underwood
The Capitol
Albany, New York 12224-0341

ATT: Assistant Solicitor General Frederick Brodie
Assistant Solicitor General Victor Paladino
Appeals & Opinions Bureau

by mailing same, first-class mail, at a U.S. post office within the State of New York at the address furnished by Assistant Solicitor General Brodie.


On both those dates, I also e-mailed pdfs to Assistant Solicitor General Brodie, as well as to supervisory/managerial attorneys in the attorney general's office, including Attorney General Barbara Underwood. The transmitting e-mails are attached.


ELENA RUTH SASSOWER

Sworn to before me this
23rd day of October 2018



Notary Public

JOSEPH SAM MAZZA
Notary Public, State of New York
No. 04MA6045640
Qualified in Westchester County
Commission Expires July 31, 

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, October 23, 2018 2:12 PM
To: 'Barbara.Underwood@ag.ny.gov'; 'Brodie, Frederick'; 'Paladino, Victor'
Cc: 'Janet.Sabel@ag.ny.gov'; 'Kent.Stauffer@ag.ny.gov'; 'Meg.Levine@ag.ny.gov'; 'Jeffrey Dvorin'; 'Brian.Mahanna@ag.ny.gov'; 'Alvin.Bragg@ag.ny.gov'; 'marty.mack@ag.ny.gov'; 'Matthew.Colangelo@ag.ny.gov'; 'Margaret.Garnett@ag.ny.gov'; 'manisha.sheth@ag.ny.gov'; 'Adrienne Kerwin'; 'Helena.Lynch@ag.ny.gov'; 'Edward Carey'; 'Jane Landes'; 'ad3clerksoffice@nycourts.gov'
Subject: CJA v. Cuomo Citizen-Taxpayer Action Appeal: #527081 -- Notice of Motion to Strike Respondents' Brief, to Declare the Attorney General's Representation of Respondents Unlawful, & for Other Relief
Attachments: 10-23-18-motion-with-exhibits-back.pdf; 10-23-18-notice-of-motion-with-back.pdf

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

As Associate Justice Sharon A.M. Aarons has, without reasons, declined to sign appellants' October 18, 2018 order to show cause to strike your respondents' brief, to declare your representation of respondents unlawful, and for other relief – and it is not possible to submit it to another judge -- I have informed Chief Motion Attorney Ed Carey that appellants will proceed by notice of motion.

The full motion is attached. Also attached, if more convenient for you, is just the 3-page notice of motion with its annexed 3-page declined osc – and a new back. Everything is posted on CJA's website here: <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2nd/appeal/10-23-18-motion.htm>.

I will be mailing you a hard copy of the notice of motion, with declined osc – and the new back. You already have the moving affidavit and exhibits.

Thank you.

Elena Sassower, unrepresented plaintiff-appellant

On her own behalf, on behalf of the Center for Judicial Accountability, Inc.,
and on behalf of the People of the State of New York and the Public Interest

914-421-1200

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, October 18, 2018 2:51 PM
To: 'ecarey@nycourts.gov'; 'ad3clerksoffice@nycourts.gov'; 'Jane Landes'
Cc: 'Brodie, Frederick'; 'Barbara.Underwood@ag.ny.gov'; 'Paladino, Victor';
'Janet.Sabel@ag.ny.gov'; 'Kent.Stauffer@ag.ny.gov'; 'Meg.Levine@ag.ny.gov'; 'Jeffrey
Dvorin'; 'Brian.Mahanna@ag.ny.gov'; 'Alvin.Bragg@ag.ny.gov'; 'marty.mack@ag.ny.gov';
'Matthew.Colangelo@ag.ny.gov'; 'Margaret.Garnett@ag.ny.gov';
'manisha.sheth@ag.ny.gov'; 'Adrienne Kerwin'; 'Helena.Lynch@ag.ny.gov'
Subject: CJA v. Cuomo Citizen-Taxpayer Action Appeal: #527081 -- Order to Show Cause #3: to
strike respondents' brief, to declare the attorney general's representation of
respondents unlawful, & for other relief.
Attachments: unsigned-10-18-18-osc-with-aff-exhibits.pdf

TO: Appellate Division, Third Department Chief Motion Attorney Ed Carey

Following up your return call to me yesterday afternoon – for which I thank you – attached, as discussed, is appellants' order to show cause to strike respondents' brief, to declare the attorney general's representation of respondents unlawful, & for other relief. The original, with my signed and notarized moving affidavit, will be mailed from the post office to the Court, with a copy to the attorney general.

CJA's webpage for this third order to show cause is here: <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2nd/appeal/10-18-18-osc.htm>.

Thank you.

Elena Sassower, unrepresented plaintiff-appellant

On her own behalf, on behalf of the Center for Judicial Accountability, Inc.,

and on behalf of the People of the State of New York and the Public Interest

914-421-1200