

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

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**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>  
**Sent:** Wednesday, September 12, 2018 9:55 PM  
**To:** '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'; 'Adrienne Kerwin'; 'Helena.Lynch@ag.ny.gov'; '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'  
**Cc:** 'Jane Landes'  
**Subject:** CJA v. Cuomo, #527081: signed order to show cause to disqualify the Appellate Division, 3rd Dept for demonstrated actual bias & other relief  
**Attachments:** signed-osc-9-12-18.pdf

**TO: Assistant Solicitor General Brodie -- & Attorney General Underwood & Other Supervisory/Managerial Attorneys in the Office of the Attorney General**

Attached is the 3-page order to show cause, signed today, by Appellate Division, Third Department Presiding Justice Elizabeth Garry. A hard copy, has already been placed in a postbox, for first-class delivery to you.

You already have my moving affidavit, with exhibits, as it was e-mailed to you yesterday by the below. The hard copy was mailed to you two days ago, from the post office, by first class mail.

CJA's webpage posting the signed order to show cause, with my moving affidavit and exhibits, is here:  
<http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2nd/appeal/9-10-18-osc.htm>.

Thank you.

Elena Sassower, unrepresented plaintiff-appellant

On her own behalf individually & 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

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**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>  
**Sent:** Tuesday, September 11, 2018 10:22 AM  
**To:** 'Brodie, Frederick' <Frederick.Brodie@ag.ny.gov>; 'Barbara.Underwood@ag.ny.gov' <Barbara.Underwood@ag.ny.gov>; 'Paladino, Victor' <Victor.Paladino@ag.ny.gov>; 'Janet.Sabel@ag.ny.gov' <Janet.Sabel@ag.ny.gov>; 'Kent.Stauffer@ag.ny.gov' <Kent.Stauffer@ag.ny.gov>; 'Meg.Levine@ag.ny.gov' <Meg.Levine@ag.ny.gov>; 'Jeffrey Dvorin' <Jeffrey.Dvorin@ag.ny.gov>; 'Adrienne Kerwin' <Adrienne.Kerwin@ag.ny.gov>; 'Helena.Lynch@ag.ny.gov' <Helena.Lynch@ag.ny.gov>; 'Brian.Mahanna@ag.ny.gov' <Brian.Mahanna@ag.ny.gov>; 'Alvin.Bragg@ag.ny.gov' <Alvin.Bragg@ag.ny.gov>; 'marty.mack@ag.ny.gov' <marty.mack@ag.ny.gov>; 'Matthew.Colangelo@ag.ny.gov' <Matthew.Colangelo@ag.ny.gov>; 'Margaret.Garnett@ag.ny.gov' <Margaret.Garnett@ag.ny.gov>; 'manisha.sheth@ag.ny.gov' <manisha.sheth@ag.ny.gov>  
**Cc:** 'ecarey@nycourts.gov' <ecarey@nycourts.gov>; 'Jane Landes' <jlandes@nycourts.gov>; 'ad3clerksoffice@nycourts.gov' <ad3clerksoffice@nycourts.gov>

**Subject:** CJA v. Cuomo, #527081: appellants' order to show cause to disqualify the Appellate Division, 3rd Dept for demonstrated actual bias & other relief

**TO: Assistant Solicitor General Brodie -- & Attorney General Underwood & Other Supervisory/Managerial Attorneys in the Office of the Attorney General**

Attached is appellants' unsigned order to show cause, with my September 10<sup>th</sup> moving affidavit and exhibits, that I express-mailed yesterday to the Appellate Division, Third Department – and mailed to you, as well – to disqualify the Court for demonstrated actual bias and other relief. It is posted on CJA's website, [www.judgewatch.org](http://www.judgewatch.org) – and the direct link to the webpage for it is here: <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2nd/appeal/9-10-18-osc.htm>.

As for the below, these are my August 6<sup>th</sup> and August 7<sup>th</sup> e-mails, furnishing you with my attached August 6<sup>th</sup> reply affidavit – the same as is referred-to by my September 10<sup>th</sup> moving affidavit (at ¶11) as furnishing “a road-map of the state of the record before the Court on ‘the papers’ before it”.

**Is there anything you deny or dispute with respect to either affidavit? If so, set it forth by a sworn statement – and from Attorney General Underwood.**

Thank you.

Elena Sassower, unrepresented plaintiff-appellant

On her own behalf individually & 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

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

**Sent:** Tuesday, August 7, 2018 1:07 PM

**To:** 'ecarey@nycourts.gov' <[ecarey@nycourts.gov](mailto:ecarey@nycourts.gov)>; 'Jane Landes' <[jlandes@nycourts.gov](mailto:jlandes@nycourts.gov)>;

'ad3clerksoffice@nycourts.gov' <[ad3clerksoffice@nycourts.gov](mailto:ad3clerksoffice@nycourts.gov)>

**Cc:** 'Brodie, Frederick' <[Frederick.Brodie@ag.ny.gov](mailto:Frederick.Brodie@ag.ny.gov)>; 'Barbara.Underwood@ag.ny.gov'

<[Barbara.Underwood@ag.ny.gov](mailto:Barbara.Underwood@ag.ny.gov)>; 'Paladino, Victor' <[Victor.Paladino@ag.ny.gov](mailto:Victor.Paladino@ag.ny.gov)>; '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)>; 'jeffrey.Lang@ag.ny.gov' <[jeffrey.Lang@ag.ny.gov](mailto:jeffrey.Lang@ag.ny.gov)>

**Subject:** CJA v. Cuomo, No. 527081: Notarized Signature Page/Appellants' Reply Affidavit -- PLUS LETTER

**TO: Chief Motion Attorney Edward Carey**

Following up my below e-mail at 4:50 pm yesterday and my two phone calls to the Clerk's Office earlier today, attached is my self-explanatory letter of today's date, addressed to you, and its indicated two enclosures.

Thank you.

Elena Sassower, unrepresented plaintiff-appellant

On her own behalf individually & 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

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

**Sent:** Monday, August 6, 2018 4:50 PM

**To:** 'ecarey@nycourts.gov' <[ecarey@nycourts.gov](mailto:ecarey@nycourts.gov)>; 'Jane Landes' <[jlandes@nycourts.gov](mailto:jlandes@nycourts.gov)>; 'ad3clerksoffice@nycourts.gov' <[ad3clerksoffice@nycourts.gov](mailto:ad3clerksoffice@nycourts.gov)>

**Cc:** 'Brodie, Frederick' <[Frederick.Brodie@ag.ny.gov](mailto:Frederick.Brodie@ag.ny.gov)>; 'Barbara.Underwood@ag.ny.gov' <[Barbara.Underwood@ag.ny.gov](mailto:Barbara.Underwood@ag.ny.gov)>; 'Paladino, Victor' <[Victor.Paladino@ag.ny.gov](mailto:Victor.Paladino@ag.ny.gov)>; '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:** CJA v. Cuomo, No. 527081: Appellants' Reply Affidavit with Exhibits

Dear Mr. Carey and Ms. Landes –

Pursuant to the order to show cause signed by Justice Devine on August 2, 2018, attached is my signed reply affidavit with its attached exhibits. The link to the video of the August 2<sup>nd</sup> hearing on the TRO is here:

<http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2nd/appeal/8-2-18-oral-argument.htm>

By copy of this email, service is being made on respondents in compliance with the order to show cause.

I will e-mail a notarized affidavit tomorrow morning – and mail hard copies to the Court and AG.

Thank you,

Elena Sassower, unrepresented plaintiff-appellant

On her own behalf individually & as Director of the Center for Judicial Accountability, Inc.

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