

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

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**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>  
**Sent:** Friday, July 21, 2017 11:23 AM  
**To:** 'wendy.weiser@nyu.edu'; 'lawrence.norden@nyu.edu'; 'fritz.schwarz@nyu.edu'; 'fschwarz@cravath.com'; 'eric.lane@hofstra.edu'; 'federicks@brennan.law.edu'; 'lawlmk@hofstra.edu'  
**Subject:** MISSING LINK -- CJA's April 18th e-mail -- OPPORTUNITY/OBLIGATION -- citizen-taxpayer action challenging the unconstitutionality & unlawfulness of the NYS budget -- and the dysfunction & corruption underlying it and which it engenders

RE: my below April 18<sup>th</sup> e-mail --

Here's the link to the referred-to webpage with the VIDEO of the February 25, 2009 hearing of the Temporary Senate Committee on Rules & Administration Reform at which Professor Lane, Larry Norden, and Jeremy Creelan testified: <http://www.judgewatch.org/web-pages/judicial-compensation/rules-reform-resource-page-senate.htm>. It was inadvertently omitted. Apologies.

Elena  
914-421-1200

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**From:** Center for Judicial Accountability, Inc. (CJA) [mailto:elena@judgewatch.org]  
**Sent:** Friday, July 21, 2017 10:36 AM  
**To:** 'federicks@brennan.law.edu' <federicks@brennan.law.edu>  
**Cc:** 'wendy.weiser@nyu.edu' <wendy.weiser@nyu.edu>; 'lawrence.norden@nyu.edu' <lawrence.norden@nyu.edu>; 'fritz.schwarz@nyu.edu' <fritz.schwarz@nyu.edu>; 'fschwarz@cravath.com' <fschwarz@cravath.com>; 'eric.lane@hofstra.edu' <eric.lane@hofstra.edu>  
**Subject:** CONTINUING OPPORTUNITY/OBLIGATION -- citizen-taxpayer action challenging the unconstitutionality & unlawfulness of the NYS budget -- and the dysfunction & corruption underlying it and which it engenders

**TO: Sidni Frederick/Special Assistant to Brennan Center Democracy Program Director Wendy Weiser**

Following up our phone conversation a short time ago, below is my April 18, 2017 e-mail to Brennan Center Democracy Director Weiser, Deputy Director Lawrence Norden, and Chief Counsel Frederick Schwarz – to which I received no response from them, or from your predecessor, Nathaniel Sobel, no longer at the Brennan Center. Nor have I received a response from Hofstra Law School Professor Eric Lane.

I appreciate your offering to arrange to set up a telephone call between myself and Ms. Weiser, as soon as possible. CJA's groundbreaking citizen-taxpayer action continues to unfold, <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2nd/menu-2nd-citizen-taxpayer-action.htm> – and in a fashion reflecting the consequences of what the judicial process looks like in politically-explosive cases where there is NO media attention and NO participation of powerful *amici* like the Brennan Center and constitutional scholars like Professor Lane.

Thank you.

Elena Sassower, Director  
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(1993) – ALL posted on the webpage of the March 29<sup>th</sup> order to show cause – you will agree that the New York State budget is flagrantly “OFF THE CONSTITUTIONAL RAILS” and that the outcome of CJA’s March 29<sup>th</sup> order to show cause – and of the second citizen-taxpayer action on which it rests – must be summary judgment for the plaintiffs, AS A MATTER OF LAW.

As I stated to Mr. Sobel, I invite the Brennan Center to have “a piece of the action” by filing an *amicus curiae* brief and/or by making a motion to intervene, thereby contributing its wider perspective and achieving, through the citizen-taxpayer action, adjudications of the constitutional and legal dimensions of so much its groundbreaking work – and that of Professor Lane – all blithely ignored by New York’s governors and legislators. Certainly, too, the Brennan Center has a bully-pulpit and can easily issue press statements about the citizen-taxpayer action, as well as reach out to its large network of media and academic contacts so that the lawsuit receives both the press coverage and substantive scholarship it deserves.

The Brennan Center has a powerful opportunity, if not obligation, to play a leadership role in the citizen-taxpayer action, for the benefit of ALL New Yorkers. The March 29<sup>th</sup> order to show cause for declarations of unconstitutionality and unlawfulness of the New York State budget is OPEN & SHUT – and WE WILL WIN!

I look forward to hearing from you about the order to show cause – and as soon as possible.

Thank you.

Elena Sassower, Director  
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