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December 10, 2025

TO: U.S. District Court Judge Kenneth Karas

FROM: Elena Sassower, Plaintiff *Pro Se*

RE: CJA, et al. v. LCA, et al. (25-CV-8370)
Clarifying the Court's December 5th Order –
& Furnishing Assurance to the Court of Plaintiffs' Compliance,
with a Request for the Court's Guidance

This responds to the Court's [December 5th Order](#), docketed as #10, and e-mailed to me on that day, a Friday, at [4:06 p.m.](#), Approximately 2-1/2 hours earlier, at [1:47 p.m.](#), I had e-mailed the *pro-se* intake unit a December 5th letter for the Court, whose docketing as #11 I was alerted to at [5:50 p.m.](#).¹

My [December 5th letter](#) correctly stated that I had received no response from the Court to my [November 19th letter](#) and then asked:

“Is the Court granting – as I have assumed – my requests:

- for a 30-day extension to January 14, 2026 of the December 15, 2025 date for plaintiffs to show cause why their [verified amended complaint](#) should not be dismissed for lack of subject matter jurisdiction, directed by the Court's *sua sponte* [November 13th Order](#);

¹ With the exception of that speedy posting, none of my prior filings, e-mailed to the *pro se* intake unit, have been docketed within the “two business days” specified at page 4 of the Southern District Court's *pro se* instruction guide [“Filing A Complaint”](#). Thus, as reflected by the [docket](#) – and the e-mails of case activity I have received – it was not until October 15th that plaintiffs' October 8th verified complaint, civil cover sheet, and consent to receive electronic service were docketed. As for my November 19th letter, it was not docketed until November 24th, at which time I received an [alerting e-mail](#) identifying the docket text:

“LETTER addressed to Judge Kenneth M. Karas from Elena Ruth Sassower dated 11/19/2025 re: Questions Concerning the Courts sua sponte November 13th Order & Three Requests Pertaining Thereto. Document filed by Elena Ruth Sassower.”

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- for an extension of plaintiffs' time to serve their verified amended complaint upon defendants from January 6, 2026 to 30 days from the date of the Court's decision on plaintiffs' show cause submission.

Please advise so that I do not misapprehend the situation and may know how to proceed."

The December 5th Order does not identify either of these two requests – or the reasons my November 19th letter had given for them, including by its last paragraph, which had stated:

"As to both requests, there is no prejudice to the 34 press defendants, who, without answering or moving against a complaint they have not been served, are getting a 'free ride' by the Court's *sua sponte* Order, advancing for them a non-merits subject matter jurisdiction defense they know they do not have and which the Court reasonably knows, as well." (underlining added).

Sub silentio and without explanation, the Court has denied the first request and not responded to the second.

Indeed, the Court's December 5th Order materially conceals and misrepresents my November 19th letter, starting from its second sentence, reading:

"On November 19, 2025, Plaintiff Sassower wrote to the Court with three questions regarding the order, each of which are addressed below." (at p. 1, underlining added).

In fact, I had not presented "three questions", but "Three Requests", so-identified by the very title of my November 19th letter – and repeated by the description of the letter made part of the docket:

"Questions Concerning the Court's *sua sponte* November 13th Order -- & Three Requests Pertaining Thereto" (underlining added).

The first of these "Three Requests", at the bottom of my letter's third page, was:

"Based on the foregoing, I respectfully request that the Court make disclosure of facts bearing upon its fairness and impartiality, including whether this case was randomly assigned to it 'by lot'^{fn1} or steered to it by Southern District Chief Judge Laura Taylor Swain, who, having initially commandeered the case to herself, rendered an incomprehensible and indefensible October 22nd Order.^{fn2}" (underlining added).

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The Court does NOT confront the “foregoing” on which this first request is based, makes NO disclosure of “facts bearing upon its fairness and impartiality”, makes NO affirmative statement that it was assigned randomly “by lot”, makes NO claim to being fair and impartial – and by its December 5th Order is plainly NOT.

Here’s how the Court “addresse[s]” what it purports to be my “three questions” in the three titled sections of its Order.

The Order’s first section (at pp. 1-2), entitled “Sua Sponte Inquiries into Subject Matter Jurisdiction”, states, by its first sentence:

“Plaintiff Sassower first questions the procedural validity of the Court’s November 13 Order and accuses the Court of ‘dispens[ing] with the Federal Rules of Civil Procedure and the adversarial process by *sua sponte* ordering a plaintiff to defend subject matter jurisdiction of a complaint that has not yet been served upon defendants.’ (See Dkt. No. 9 at 1, 3.)”

My so-called “accus[ation]” was my particularized showing that the Court’s **own** 2022 decision in [Spira v. Trans Union, LLC](#), on which the ordering paragraph of its November 13th Order rests, does not stand for the proposition that the Court can *sua sponte* inquire into subject matter jurisdiction where:

“the complaint has not even been served on defendants – and who, upon being served, can make a [FRCP 12\(b\)\(1\) dismissal motion](#), if they believe they have grounds for same, to which plaintiffs can then respond, and defendants reply, with the Court making a determination at that time. (underlining and hyperlinking in the original, at p. 1).

Based thereon, I asked (at p. 3) that the Court “furnish such legal authority” for “effectively substituting itself for the defendants”, expressly stating “none being evident from the Court’s *Spira* decision, nor from any of the cases cited in the Court’s November 13th Order.”

This is entirely concealed by this first section, which, instead, condescendingly states (at p. 1):

“Rest assured, this Court is both procedurally able and constitutionally required to make such inquiries.”

and purports (at p. 2):

“It is of no consequence that Defendants in this Action have not yet been served because federal ‘[c]ourts, including this Court, have an independent obligation to determine whether subject-matter jurisdiction exists, even in the absence of a

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challenge from any party.’”

Yet the Court cites NO case – including ANY of its own from its 20-plus years as a federal judge – reflecting that its “independent obligation to determine whether subject-matter jurisdiction exists” begins BEFORE defendants have even been served – which is what is here at issue. Nonetheless, in the complete absence of ANY legal authority, the Court ends the section by the sentence:

“For the foregoing reasons, Plaintiffs must comply with the Court’s November 13 Order or risk having their Complaint dismissed.”

The Order’s second section (at pp. 2-3), entitled “CJA’s Lack of Legal Representation”, states, by its first paragraph:

“Plaintiff Sassower also asserts that she is not seeking to litigate on behalf of CJA and admits CJA is currently unrepresented and seeking counsel. (Dkt. No. 9 at 2.) This admission further calls into question the validity of CJA’s participation in this Action.”

Not here revealed, or elsewhere in this section, is the question my November 19th letter had expressly asked (at p. 3), *to wit*,

“was it an oversight that the [November 13th] Order purports (at p. 2) that I ‘lack[] standing to litigate on behalf of CJA’, ignoring that plaintiffs’ civil cover sheet for their October 8th verified complaint makes manifest that I am not seeking to ‘litigate on behalf of CJA’, as it expressly states that the corporate plaintiff is ‘As yet unrepresented. Seeking counsel’ – which is quite obviously the principal reason why the complaint has not yet been served – and as to which FRCP Rule 4(m) gives plaintiffs 90 days from the October 8th filing date of their complaint within which to serve defendants – which is January 6, 2026.

I expect that the corporate plaintiff will, by January 6th, have counsel in place, able to represent it and, additionally, to assist me, as the individual *pro se* plaintiff, in our shared rights and interests, including ‘*on behalf of the People of the State of New York & the Public Interest*’.” (underlining, hyperlinks, and italics in the original).

Without answering my question as to the Court’s knowledge of the civil cover sheet, the Court embarks on discussion both superfluous and irrelevant to the facts presented by my November 19th letter so as to now start the clock for a further ground on which to dismiss the complaint, *sua sponte*, as to CJA, stating, by the section’s culminating three final sentences (at p. 3):

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“...Because no licensed attorney signed the Complaint on CJA’s behalf, the Amended Complaint as currently filed violates Federal Rule of Civil Procedure 11(a) vis-à-vis CJA. Now that CJA has been notified of this deficiency, it must promptly correct this error by obtaining counsel and refiling the Complaint with counsel’s signature, or its claims will be struck. *See, e.g., Brand v. AIG Insurance Co.*, No. 15-CV-6286, 2017 WL 10398480, at *2 (E.D.N.Y. Mar. 16, 2017) (dismissing a corporate plaintiff’s claims after it failed to appear with counsel within thirty days of notification of its Rule 11(a) violation).”

The Order’s third section (at pp. 3-4), entitled “Assignment of Pro Se Cases under the Local Rules of the Court”, states, by its one-paragraph:

“Lastly, Plaintiff Sassower requests to know ‘whether this case was randomly assigned to [this Court] ‘by lot’ or steered to it by Southern District Chief Judge Laura Taylor Swain’ who she accuses of initially ‘commandeer[ing] the case to herself[.]’ (Dkt. No. 9 at 3.) Contrary to Plaintiff Sassower’s belief, Chief Judge Swain did not ‘commandeer’ this Action. Under Rule 1 of this Court’s Rules for Division of Business Among District Judges, ‘[t]here shall be assigned or transferred to the chief judge such matters as the chief judge is willing and able to undertake, consistent with the [C]hief [J]udge’s administrative duties.’ Pursuant to this Rule, it is general practice that all pro se cases filed in this District are initially assigned to the Chief Judge until plaintiff pays the requisite filing fee or submits an IFP application. Once the filing fee has been paid, pro se cases are assigned by lot to a district judge pursuant to the procedure outlined in Rule 4 of this Court’s Rules for Division of Business Among District Judges. As evidenced by the docket in this Action, this is the exact procedure applied to Plaintiff’s case.”

Here concealed is that I had requested “that the Court make disclosure of facts bearing upon its fairness and impartiality”, which it does not do, and that I had stated that Chief Judge Swain had “rendered an incomprehensible and indefensible October 22nd Order”. As to the latter, the Court does not contest the substantiating particulars I furnished, including that Chief Judge Swain’s [docket text](#) for her [October 22nd Order](#) had stated “The Clerk of Court is directed to assign this matter to my docket.”

Plainly, this direction, also appearing in the [October 22nd e-mail](#) transmitting Judge Swain’s Order to me, would have been unnecessary:

- if, *prior to my paying the filing fee*, there was a “general practice” to assign unpaid cases to the Chief Judge; and
- if, *following payment*, there was a “general practice” to assign *pro se* cases – seemingly the ONLY cases that can be filed without initial payment of a fee – “by lot”.

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Nor does it accord with what the docket states for October 16th:

“NOTICE OF REASSIGNMENT – SUA SPONTE to Judge Laura Taylor Swain.
Judge Unassigned is no longer assigned to the case” –

and this is the identical “REASSIGNMENT – SUA SPONTE”, not pursuant to any “general practice, to which I was alerted by an [October 16th email](#).

In any event, even were there a “general practice” of initially assigning *pro se* cases to the Chief Judge *prior to payment of the fee*, neither Chief Judge Swain nor any other judge would have reviewed the October 8th verified complaint. This is stated by the [October 8th e-mail](#) I received upon my e-mailing the complaint for filing to the *pro se* intake unit. Entitled “**IMPORTANT INFORMATION, PLEASE REVIEW**”, the e-mail not only expressly states that there are 30 days from the date the case is “assigned a docket number” within which to make payment, but adds, in bold type:

“Please note that your complaint will not be reviewed until the court receives payment of the [filing fees](#).” (hyperlink also in the original).

Suffice to also note that the SDNY instructional guide for *pro se* litigants entitled “[Filing A Complaint](#)” specifies (at p. 2) that a complaint e-mailed to the *pro se* unit for filing must indicate, in its subject line, “Fee Paid”, if the *pro se* intends to pay the filing fees. This I had done by [my October 8th e-mail](#) transmitting the complaint – further reinforcing the baselessness of Chief Judge Swain’s suggestion, by her October 22nd Order, that I might be intending to proceed *in forma pauperis*.

As to whether this case was randomly assigned “by lot” to the Court – as to which this third section makes no affirmative statement – the question is not answered by “the docket in this Action”. Rather, the [docket](#) reflects nothing more than that on November 10th, the same day as my November 4th fee payment of \$405 was finally docketed, there was a:

“NOTICE OF CASE REASSIGNMENT to Judge Kenneth M. Karas. Judge Laura Taylor Swain is no longer assigned to the case” –

and so-identically stated by the [November 10th e-mail](#) of case activity sent me. No indication that the reassignment from Chief Judge Swain to this Court had been “by lot”, pursuant to [Rule 4](#).

Based on these three non-responsive, materially misleading sections, the Court’s December 5th Order concludes (at p. 4):

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“Accordingly, it is hereby:

ORDERED that Plaintiffs comply with this Court’s November 13 Order and show cause, by no later than December 19, 2025, as to why their claims should not be dismissed for lack of subject matter jurisdiction.

It is also ORDERED that CJA appear with counsel and refile the Amended Complaint with counsel’s signature by no later than January 5, 2026. Failure to do so will result in its claims being struck from the Complaint pursuant to Federal Rule of Civil Procedure 11(a).

SO ORDERED.”

The Court does not explain the December 19th due date for plaintiffs’ show cause submission – concealing that this is not the December 15th due date directed by its [November 13th Order](#).

The explanation, however, is obvious from my [November 19th letter](#) which, in requesting a 30-day extension to January 14, 2026, identified that:

“I have a [December 18th deadline](#) at the Appellate Division, Third Department for perfecting appeals in *CJA, et al. v. Commission on Legislative, Judicial and Executive Commission...Wilson, Zayas, et al. (CV-24 1608)*^{fn3} and other commitments and holiday plans thereafter”. (at p. 4, hyperlinks and italics in the original).

In other words, the Court has given me exactly one day beyond my appellate deadline to file plaintiffs’ order to show cause submission addressed to subject matter jurisdiction.

So that the Court may – to use its expression – “Rest assured” that plaintiffs will be complying with its December 5th Order, I herewith enclose my already drafted affidavit in support of the Court’s subject matter jurisdiction – this being the draft I had completed within seven days of the [November 17th docketing and e-mailing to me](#) of the Court’s *sua sponte* November 13th Order.

Up until my receipt of the December 5th Order, I had been e-mailing the draft to lawyers I was contacting to represent CJA, identifying to them my reasonable expectation that the Court would be granting the extensions requested by my November 19th letter, by the prefatory note:

^{“fn3} This important lawsuit is referred to and linked by the October 29th verified amended complaint at p. 5 (fn.4), p. 37, p. 44, and p. 70.”

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**“NOV 24, 2025 DRAFT AFFIDAVIT – TO BE FILED IN JANUARY
FOLLOWING RETENTION OF, & CONSULTATION WITH, COUNSEL FOR
CJA”.**

As none of the lawyers – mostly constitutional law professors, many of them former U.S. Supreme Court law clerks – have responded, as yet, it would be most helpful if the Court would confirm that such drafted affidavit, when I have signed and filed it in support of plaintiffs’ [October 29th verified amended complaint](#), will suffice to establish the Court’s subject matter jurisdiction – or else identify what further elaboration the Court deems necessary at this “pleading stage”. [Bauer v. Veneman](#), 352 F.3d 625, 636-37 (2d Cir. 2003).

Such guidance would accord with the solicitude that judges are expected to extend to *pro se* litigants, [Craig v. City of New York](#), 24-1180-cv (2nd Cir., June 6, 2025) – and is especially appropriate where, as here, the *pro se* has brought a clearly monumental, summary judgment case, of gravity and reach, against 34 media defendants, having hundreds of top lawyers between them – and that’s just their lawyers who are “in house” and regularly retained.²

Thank you.

s/Elena Sassower

Enclosure

² *Cf.* the situation described by the 1993 monograph of the Twentieth Century Fund, entitled “[The ‘Muzzled Media’: Constitutional Crisis or Product Liability Scam?](#)” by Martin London, Esq.

**NOV 24, 2025 DRAFT AFFIDAVIT – TO BE FILED IN JANUARY FOLLOWING
RETENTION OF, & CONSULTATION WITH, COUNSEL FOR CJA**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CENTER FOR JUDICIAL ACCOUNTABILITY, Inc.
and ELENA RUTH SASSOWER, individually and
as director of the Center for Judicial Accountability, Inc.,
*acting on their own behalf and on behalf of the People
of the State of New York & the Public Interest,*

25-CV-8370

Plaintiffs,

Plaintiffs' Affidavit
in Response to
Nov. 13, 2025
Sua Sponte Order

-against-

LEGISLATIVE CORRESPONDENTS ASSOCIATION, Inc.,
[and 33 other defendants]
being representative of other New York & national media,

Defendants.

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss:

Elena Ruth Sassower, being duly sworn, deposes and says:

1. I am the plaintiff *pro se*, “individually and as director of the Center for Judicial Accountability, Inc.”, bringing this lawsuit with plaintiff Center for Judicial Accountability, Inc. on our “*own behalf and on behalf of the People of the State of New York & the Public Interest*”.

2. This affidavit is submitted in response to the Court’s *sua sponte* [November 13, 2025 Order](#) for plaintiffs to show cause why their claims should not be dismissed for lack of subject matter jurisdiction.

3. By a [November 19th letter](#), I furnished a preliminary response, setting forth the procedurally unprecedented manner in which the Court was proceeding.

4. Plaintiff CJA is now represented by counsel – thereby disposing of the Order’s assertion that I lack standing to litigate on CJA’s behalf, which, as pointed out by my letter, was never my intent.

5. As stated by ¶1 of plaintiffs’ [October 29, 2025 verified amended complaint](#),¹ this lawsuit is brought pursuant to Article 4, §4 of the U.S. Constitution and the First and Fourteenth Amendments. The district court’s subject matter jurisdiction, based thereon, is pursuant to [28 U.S. Code § 1331](#), stated by the complaint’s ¶2 – this being a “civil action[] arising under the constitution”. None of these provisions are acknowledged by the Court’s Order, notwithstanding their invocation by plaintiffs accords with “U.S. Const. art. III, §2, cl. 1”², to which the Order does cite.

6. Instead, the Court flips to “Constitutional standing”, whose three-fold requirements it identifies by quoting from the Second Circuit’s 2016 decision in [Am. Psychiatric Ass’n v. Anthem Health Plans, Inc.](#), 821 F.3d 352, 358 :

“(1) that the plaintiff ha[s] suffered an ‘injury in fact’ — that is, ‘an invasion of a legally protected interest which is (a) concrete and particularized and (b) actual or imminent, not conjectural or hypothetical,’; (2) that there is ‘a causal connection between the injury and the conduct’ of which the plaintiff complains; and (3) that it is ‘likely . . . that the injury will be redressed by a favorable decision.’ *Id.* (second alteration in original) (quoting [Lujan v. Defs. of Wildlife](#), 504 U.S. 555, 560–61 (1992)).”

Plaintiffs meet these requirements, easily – and overwhelmingly.

¹ The October 29, 2025 verified amended complaint, which added nine additional press defendants and subsequent factual allegations, is materially identical to the October 8, 2025 verified complaint. For brevity – and in keeping with the Court’s Order – it will be hereinafter referred to as the “complaint”.

² It reads, by its very first words:

“The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution...”

7. This being the pleading stage, plaintiffs filed their complaint consistent therewith. As stated in the Second Circuit’s 2003 decision in [Bauer v. Veneman](#), 352 F.3d 625, 636-37, which the Court’s Order also quotes, but not this portion:

“at the pleading stage, standing allegations need not be crafted with precise detail, nor must the plaintiff prove his allegations of injury. *See [Lujan]*. (recognizing that ‘[a]t the pleading stage, general factual allegations of injury ... may suffice [to establish standing], for on a motion to dismiss we ‘presum[e] that general allegations embrace those specific facts that are necessary to support the claim’) (quoting [Lujan v. National Wildlife Fed’n](#), 497 U.S. 871, 889, 110 S. Ct. 3177, 111 L. Ed. 2d 695 (1990)) (alteration in original). It bears emphasis that under federal pleading rules, ‘[c]omplaints need not be elaborate, and in this respect injury (and thus standing) is no different from any other matter that may be alleged generally.’ *See South Austin Coalition Comm. v. SBC Communications*, 274 F.3d 1168, 1171 (7th Cir. 2001).”

8. Thus, plaintiffs’ complaint, under the title “Statement in Further Support”, states, at its ¶¶93-95:

“93. Acting on their own behalf and on behalf of ‘the People of the State of New York & the Public Interest’, plaintiffs seek the redress that the United States Constitution expressly provides by the guarantee clause of Article 4, §4, ‘The United States shall guarantee to every State in this Union a Republican Form of Government...’, through the First Amendment’s guarantee of ‘the right of the people...to petition the Government for a redress of grievances’, and the further guarantees to every ‘person’, by the Fifth and Fourteenth Amendments, of due process and equal protection.

94. Based on these provisions – and the facts hereinabove summarized, with evidence – plaintiffs are here suing defendants for violating their ‘free press’ First Amendment responsibilities by *knowingly* false journalism, concealing from the People of New York the true state of their state government, *to wit*, that New York’s ‘Republican Form of Government’ no longer exists because the state’s highest constitutional officers of its three government branches have been colluding with each other in flagrantly violating the state’s Constitution, laws, and rules, eviscerating mandated checks and balances, including by ‘public protection’/ethics and criminal entities that insulate them from any consequence for violations – and that, in so doing, these defendants have been, and are now, rigging New York elections.

95. The foregoing provides plaintiffs with standing and establishes injury, which, as to the latter, is further particularized, as follows:

a. As to Plaintiff SASSOWER, the corruption of New York’s judiciary, of constitutional, lawful state governance, and the complicity of the press, including many that are defendants herein, destroyed the lives and professional careers of her patriotic and courageous judicial whistle-blowing parents, both lawyers, George Sassower, Esq. and Doris L. Sassower, Esq., impacting irreparably and deleteriously upon their three daughters and, as to the oldest, Plaintiff SASSOWER, destroying and derailing her own life and career, beginning when she was a child – and she is now 69.

b. As to Plaintiff CJA, the violation of First Amendment responsibilities and journalistic codes by the press, including most of the defendants herein, has meant that all its hard, painstaking work, spanning more than three decades, has brought no corruption-eradicating changes – when even a modicum of press adherence to such responsibilities and codes, of which there was none, could have brought sweeping corruption-eradicating changes, speedily – and simply by government fidelity to the constitutional provisions, laws, and rules being violated. The near total press suppression of any report of Plaintiff CJA’s work, other than in minimizing, deprecating terms, deprived it of any public profile and appreciation – and all the benefits flowing therefrom to its development as a non-partisan, non-profit citizens’ organization, needing membership and funding.

c. As to ‘the People of the State of New York’, they have been kept ‘clueless’ by their ‘free press’ as to how they have been betrayed by their elected and appointed constitutional officers in their three government branches whose flagrant violations of their oaths of office, the state Constitution, laws, and rules, steal their money, massively, and enact and enable the enactment of policies, without legislative due process and by fraud, including as relates to elections, destroying a ‘Republican Form of Government’. As journalism is the ‘first draft of history’, the state’s history and that of its People has been falsified by its ‘free press’, relied upon by scholars in the belief that it is accurate and true, and by the culpable journalists themselves, many of whom go on to write books.” (underlining in the original).

9. With respect to the corporate plaintiff CJA, the same standing requirements as pertain to me pertain to it. As stated by the Second Circuit’s 2011 decision in [N.Y. Civil Liberties Union v. N.Y.C. Transit Auth.](#), 684 F.3d 286, 294:

“the organization is just another person—albeit a legal person—seeking to vindicate a right. To qualify, the organization itself ‘must ‘meet[] the same standing

test that applies to individuals.’ *‘Irish Lesbian & Gay Org.*, 143 F.3d at 649³ (quoting *Spann v. Colonial Village, Inc.*, 899 F.2d 24, 27 (D.C.Cir.1990))”.

10. As to CJA’s injuries, attributable to defendants, ¶95(b) identifies “membership and funding”. These injuries confer standing, evident from the Court’s Order, citing the Second Circuit’s 2024 decision in *Port Auth. Police Benevolent Assoc. v. City of New York*, 718 F.Supp. 3d 300, 308, itself citing the Court’s **own** 2021 decision in “*Orthodox Jewish Coal. of Chestnut Ridge v. Village of Chestnut Ridge*, No. 19 Civ. 443 (KMK), 2021 WL 1226930, at *14” for the proposition “(Article III injury supported by loss of membership)”. That decision, in turn, cites to the Second Circuit’s 2019 decision in *Dhinsa v. Kruege*, 917 F.3d 70, 78, (2019), stating:

“monetary loss is a quintessential injury in fact, and even a small financial loss suffices to establish standing”.

11. As part of, yet also separate from, “pocketbook injury”, the Second Circuit’s *Port Authority* decision cites to its 2017 decision in *Centro de la Comunidad Hispana de Locust Valley v. Town of Oyster Bay*, 868 F.3d 104, 111, for the proposition:

“([W]here an organization diverts its resources away from its current activities, it has suffered an injury that has been repeatedly held to be independently sufficient to confer organizational standing.” (citing *Havens Realty Corp.*, 363, 379 (1989)))”.

The elaboration of this in *Centro* is, as follows:

“where an organization diverts its resources away from its current activities, it has suffered an injury that has been repeatedly held to be independently sufficient to confer organizational standing. *See Havens Realty Corp.*, 455 U.S. at 379⁴...(a ‘concrete and demonstrable injury to [an] organization’s activities – with the consequent drain on the organization’s resources – constitutes far more than simply a setback to the organization’s abstract social interests’...*Nnebe*, 644 F.3d at 157;⁵

³ *Irish Lesbian and Gay Org. v Giuliani, et al.*, 143 F.3d 638 (2d Cir. 1998).

⁴ *Havens Realty Corp. v. Coleman*, 455 U.S. 363 (1982).

⁵ *Nnebe v. Daus*, 644 F.3d 147 (2d Cir. 2011).

Ragin, [6 F.3d at 905](#).⁶ Significantly, the Supreme Court has...reaffirmed *Haven Realty*'s holding that a nonprofit organization establishes an injury-in-fact if, as here, it establishes that it 'spent money to combat' activity that harms the organization's core activities. *Bank of Am. Corp. v. City of Miami*, -- U.S. --, [137 S.Ct. 1296](#), 1303...(2017)".

12. As with financial injury, the magnum is small. As stated by the Second Circuit in *Centro*, citing to Supreme Court authority and its own prior decisions in conformity therewith:

"The Supreme Court has held that an organization establishes an injury-in-fact if it can show that it was 'perceptibly impaired' by defendant's actions. *Havens Realty Corp. v. Coleman*, [455 U.S. 363, 379](#), ... (1982). Consequently, we have repeatedly held that 'only a 'perceptible impairment' of an organization's activities is necessary for there to be an 'injury in fact.' *Nnebe*, [644 F.3d at 157](#) (quoting *Ragin v. Harry Macklowe Real Estate Co.*, [6 F.3d 898, 905](#) (2d Cir. 1993)); *N.Y. Civil Liberties Union v. N.Y.C. Transit Auth.*, 684 F.3d 286, 294 (2d Cir. 2011) ; *N.Y. State Citizens' Coal. for Children v. Velez* , 629 Fed.Appx. 92, 94 (2d Cir. 2015).

13. At bar, the press' violation of their First Amendment responsibilities to report on the corruption of governance and public officers – and their rigging of elections as part thereof – forced plaintiff CJA to divert its limited resources away from its "core activities" of judicial accountability and organizational-building – the latter having to be ended completely – in order to expend MASSIVE amounts of time, energy, and money on repetitively soliciting and importuning reporters, editors, and then supervisory levels – and never with any result other than the further and accelerating deterioration of constitutional, lawful governance, resulting from the press' knowing and deliberate blockade on truthful, accurate reporting, in favor of falsification of what was and is going on.

14. To overcome this, plaintiff CJA initially took out public interest ads, at significant cost – the most expensive being its \$16,770 paid ad "[Where Do You Go When Judges Break the](#)

⁶ [Ragin v. Harry Macklowe Real Estate Co.](#), 6 F.3d 898, 905 (2d Cir. 1993), identified in Port Authority as "organization alleged sufficient injury to protected interest where allegedly unlawful activity required it to spend time attempting to combat activity's effects rather than undertaking normal operations".

[Law?](#)”, published on the Op-Ed page of [The New York Times](#) on October 26, 1994, and reprinted, on November 1, 1994, at page 9 of the [New York Law Journal](#), at additional cost. Other ads included “[A Call for Concerted Action](#)”, published in the November 20, 1996 [New York Law Journal](#), at a cost of \$1,648.36, and “[Restraining ‘Liars In the Courtroom’ and On the Public Payroll](#)”, published at pages 3-4 of the August 27, 1997 on the [New York Law Journal](#), at a cost of \$3,077.22. These I furnished to the press, for years – with none making the slightest dent in budging investigative reporting – or any reporting at all. All the flagrant violations of law and corruption that these ads summarize – and which have been the subject of repetitive evidentiary presentations that I have made to the press throughout these subsequent decades – have continued, unabated.

15. Thereafter, as a further solution, plaintiff CJA diverted thousands of dollars – and expended thousands of hours of time – on its two state lawsuits against the press – from [2006-2008 against The New York Times](#) and from [2010-2013 against Gannett](#) – to establish the “journalistic fraud” and “institutional reckless disregard for truth” causes of action and, simultaneously, to fight back against their besmirching, defamatory journalism, concealing and falsifying the facts pertaining to governance and public officers that were their duty to investigate and report.

16. As to the latter, the Second Circuit’s *Port Authority* decision cites to its 1998 decision in [Irish Lesbian and Gay Org.](#) (at p. 650), for the proposition: “(organization could make out Article III injury based on alleged harm to reputation)”. Defendants have injured CJA in this respect as well – and ¶95(b) of the complaint so-reflects.

17. Besmirching, defamatory journalism, aimed at diminishing CJA and making a spectacle of me and my mother, Doris L. Sassower, Esq., CJA’s co-founder with me, has been a

hallmark of defendants’ reporting on us – the purpose of which has been to prevent public knowledge and appreciation of CJA’s achievements in exposing, with fact and law, the corruption of governance and public officers – and stunt plaintiff CJA’s organizational development, totally.

18. Two notable examples, in addition to the November 7, 2004 column “[*When the Judge Sledgehammered the Gadfly*](#)”, upon which plaintiffs’ libel claims in their lawsuit against The New York Times were based, and the May 6, 2009 article “[*Hecklers try to derail new judge*](#)”, upon which plaintiffs’ libel claims in their lawsuit against Gannet were based, are:

- the New York Post’s April 17, 2023 article “[*Court of Appeals pick Rowan Wilson clears NY state Senate Judiciary panel*](#)” by its then reporter Zachary Williams, stating – referring to me –

“A female protester briefly interrupted the proceedings by demanding to testify against Wilson, who she alleged was corrupt for unspecified reasons.

“We do have her testimony, as it were,” Hoylman-Sigal said.”⁷

- the November 30, 2018 live twitter feed of Politico reporter Bill Mahoney, with [screenshots](#) of me testifying before the Committee on Legislative and Executive Compensation, with his sarcastic captioning “Scott Stringer looks enthused to be listening to Elena Sassower, Albany’s most regular testifier”, followed by “DiNapoli also pumped to hear this”.⁸

19. As to myself as the individual plaintiff – which, as identified by the complaint’s caption, is in two capacities “individually and as director of the Center for Judicial Accountability,

⁷ My prior e-mail to Mr. Williams – who well knew who I was, from years of prior e-mails from me, when he was writing for City & State – sent at 8:46 pm on April 16, 2023, is [here](#), followed by my April 17, 2023 e-mail sent at 5:14 am, is [here](#) and, prior thereto, at 4:51 am, is [here](#). As I recollect, an [AP photo](#) and caption “[New York State Senate Sargent at arms surround Elena Sassower who protested the confirmation of chief judge of the court of appeals nominee Rowan D. Wilson](#)” was also posted on The New York Post website. This was the ONLY reporting of CJA’s serious and substantial opposition to then Associate Judge Wilson’s confirmation as chief judge – concealing, *in toto*, all the facts and law my e-mails furnished in connection therewith, including the corruption of then Senate Judiciary Committee Chair Hoylman-Sigal, in plain sight, at the hearing and prior thereto..

⁸ Here, too, there was nothing about the serious and substantial content of my [testimony](#), exposing the fraud of the November 30, 2018 article he would thereupon write, false from its very title, “[Heastie makes the case for a pay raise](#)”.

Inc.”— all of the financial and organizational injury to plaintiff CJA is injury to me, as I am its sole staff, unpaid, and its sole financial support – and have been for more than a decade. Before that, the only other unpaid staff was my mother, who also contributed financial support.

20. That ALL my 24/7 work, spanning decades, has come to nothing, substantively or organizationally, is a massive injury to me, in both my individual and professional capacities, attributable to the press. This injury is evident from the most cursory examination of my workproduct – accessible from CJA’s website and hyperlinked by the complaint – not just newsworthy, but mandating report by any press purporting to fulfill First Amendment responsibilities, with salutary, corruption-eradicating results, redounding to CJA’s credit, public profile, and ability to grow organizationally, with money, through membership and grants, to hire paid staff. The complaint’s ¶95(b) pertaining to CJA’s injury is identically injury to me, individually and professionally, as CJA’s only staff and funder.

21. Unlike ¶95(b) pertaining to CJA, not quoted by the Court’s Order, its page 3 does quote from ¶95(a) pertaining to me – expurgating it so as to state that it does not “satisfy the causal connection component of standing” by “alleg[ing] personal injury fairly traceable to the defendant’s allegedly unlawful conduct.”. Having cherry-picked out the text identifying “[the corruption] of constitutional, lawful state governance” and that my parents were “patriotic and courageous judicial whistle-blowing...lawyers”, and that I “was a child – and...now 69”, the Order states:

“As currently plead, Plaintiffs’ the Amended Complaint does not explain the causal connection between Defendants’ actions and the harm alleged to Plaintiff Sassower or her parents. Instead, Plaintiffs focus on how Defendants’ alleged complicity in the corrupt governance of New York State harms the people of the State of New York at large. (See Am. Compl. at 34–81.)”.

22. As relates to ¶95(a)’s summarized injury to me, individually, separate from CJA, attributable to defendants, any press upholding First Amendment responsibilities would have investigated the vicious retaliation to which my judicial whistle-blowing lawyer-parents alerted them, including fraudulent judicial decisions, *inter alia*, stripping them of their law licenses – and the corruption of ALL safeguards from which to secure redress. Yet, despite their massive outreach to the press, and my own, on their behalf – starting with my first, [my June 4, 1989 letter to reporters](#), written while my father was incarcerated⁹ – the press, instead of being a constitutional safeguard, were willing collaborators in the complained-against judicial and other corruption, repeating lies without concerning themselves with evidence establishing the truth.

23. As to the press’ injury to my parents and our family, it is reflected by their lawsuits against the press.

24. My father brought at least the following:

- a lawsuit against the Daily News, among other defendants (Westchester Co. Index #10726-1978), whose December 15, 1978 amended verified complaint is [here](#);
- a lawsuit against the New York Law Journal, among other defendants, whose April 23, 1979 verified complaint is [here](#) (Westchester Co. Index #3607-1979);¹⁰
- a lawsuit solely against the New York Law Journal, whose April 23, 1979 verified complaint is [here](#) (Westchester Co. Index #3608-1979);
- a lawsuit against the New York Law Journal, among other defendants, whose August 18, 1982 verified complaint is [here](#) (Nassau Co. #20987-1982);

⁹ My father’s incarceration, as prisoner #16293054, did not stop him from his own outreach to the press, as reflected by [his June 30, 1989 letter to a New Jersey Law Journal reporter](#), stating to her “whatever documentation you need, you merely have to request from my daughter Elena”. The reporter’s subsequent article, not based on investigation of such documentation, was published July 13, 1989, on the Law Journal’s front page, with the title “[Frequent Filer Brings His Cruse to N.J.](#)”, and includes my arrest, on bogus grounds, for rushing to my incarcerated father at the close of a May 23, 1989 hearing.

¹⁰ Although the plaintiffs in #3607-1979 are my mother and sister – and my mother has signed the complaint, as attorney – it was written and litigated by my father.

- a lawsuit against the Daily News, among other defendants, commenced in 1983/1985? (NY Co. #5774).

25. As for my mother, she filed an October 26, 1992 summons with notice against Gannett (Westchester Co #29094/92), [here](#), but due to the catastrophic judicial retaliation she and I were facing, at that time, was unable to proceed beyond that. Seventeen years later, the facts pertaining thereto were summarized at ¶4 of the [October 4, 2010 verified complaint](#) in the lawsuit against Gannett, whose plaintiffs were myself and my mother, each of us individually and in our respective capacities as CJA's director and president, and CJA, all three of us acting "Pro Bono Publico". In addition to annexing the 1992 summons with notice as Exhibit 3(a), the verified complaint annexed, as Exhibit 2(a), [my April 4, 1992 fax to Gannett](#) entitled "Your Libelous and Malicious story, appearing in today's newspaper...", stating:

"This is to record the fact that ten minutes ago, at 9:25 a.m., I received an offensive and insulting telephone call from a reader of your newspaper who told me that she was 'sick and tired' of reading the kind of stories about Doris Sassower and her daughter that have been appearing in your paper.

She refused to identify herself, but told me she would 'write an editorial' to the Gannett newspapers. Before I could even say anything in defense of myself or my mother, she hung up on me.

Immediately thereafter, I attempted to call the Metro Desk (694-5014) – but no one picked up the telephone..."

and, as Exhibit 2(b), [my mother's fax to Gannett six hours later](#), stating:

"This is to record the fact that at 12:50 p.m. today, I received a threatening telephone call from a man who stated that 'the ways of the Sassowers will be bombed tonight at 5 p.m., fuck off'.

I consider this threat to be a direct result of the deliberate smear campaign that Gannett has conducted against me. You have deliberately, and without justification, incited such hostility in the community as to now present a threat of physical harm to me and my family. We hold you responsible for the adverse consequences of today's false, distorted and defamatory story--as well as preceding ones of the same ilk.

The White Plains Police have already been notified. We request that your lawyers contact us immediately so that appropriate steps can be taken to deal with the dangerous situation which has been created by you.

My daughter called up Gannett at approximately 1:30 p.m. She confirmed with Mr. Kieran O’Leary, the editor in charge, that her faxed communication of 9:40 this morning had been received. She also related the foregoing telephone-threat to him. ...” (underlining in the original).

The verified complaint additionally annexed, as [Exhibit 3\(b\)](#), [Exhibit 3\(c\)](#), and [Exhibit 3\(d\)](#), correspondence from December 1995, reflecting Gannett’s retaliation against us at that time, based on the 1992 summons and notice, served upon Gannett in February 1993.

26. Obviously over and beyond the trauma and other life-disrupting and warping consequences of the press’ violation of its First Amendment duties pertaining to my parents, I suffered the financial injury they suffered – including the monies they were unable to leave to me and my two sisters because of what the press enabled to be done to them.

27. As for “the People of the State of New York”, the Order recognizes (at p. 3) that the focus of the amended complaint “(at 34–81.)” is the injury to the People, attributable to the press. It does not purport any deficiency in the particularization of the injury. Nor does the Order appear to challenge that plaintiff CJA can act on behalf of the People. Instead, the Order seems to imply that I, as a non-attorney, cannot act on the People’s behalf, further introducing the concept of “third party”, stating, as to this:

“the Supreme Court has routinely held that ‘one may not claim standing . . . to vindicate the constitutional rights of some third party.’ [Singleton v. Wulff](#), 428 U.S. 106, 114 (1976) (internal quotation marks and citations omitted); see also [Hollingsworth v. Perry](#), 570 U.S. 693, 707–08 (2013) (noting that ‘a litigant must assert his or her own legal rights and interests and cannot rest a claim to relief on the legal rights or interests of third parties.’ (internal quotation marks and citation omitted)).”

28. This materially misrepresents these two cases to remove the qualifications that is part of what “the Supreme Court has routinely held”:

(a) In [*Singleton v. Wulff*](#), the Supreme Court stated (at pp. 114-116):

“the Court’s general rule: ‘**Ordinarily**, one may not claim standing in this Court to vindicate the constitutional rights of some third party.’ *Barrows v. Jackson*, 346 U.S. at [346 U. S. 255](#). See also *Flast v. Cohen*, 392 U.S. at [392 U. S. 99](#) n. 20; *McGowan v. Maryland*, [366 U. S. 420](#), [366 U. S. 429](#) (1961).

Like any general rule, however, this one should not be applied where its underlying justifications are absent. With this in mind, the Court has looked primarily to two factual elements to determine whether the rule should apply in a particular case. The first is the relationship of the litigant to the person whose right he seeks to assert. If the enjoyment of the right is inextricably bound up with the activity the litigant wishes to pursue, the court at least can be sure that its construction of the right is not unnecessary in the sense that the right’s enjoyment will be unaffected by the outcome of the suit. Furthermore, the relationship between the litigant and the third party may be such that the former is fully, or very nearly, as effective a proponent of the right as the latter. ...

The other factual element to which the Court has looked is the ability of the third party to assert his own right. Even where the relationship is close, the reasons for requiring persons to assert their own rights will generally still apply. If there is some genuine obstacle to such assertion, however, the third party’s absence from court loses its tendency to suggest that his right is not truly at stake, or truly important to him, and the party who is in court becomes, by default, the right’s best available proponent.” (bold added).

(b) In [*Hollingsworth v. Perry*](#), the Supreme Court reiterated:

“‘[i]n the ordinary course, a litigant must assert his or her own legal rights and interests, and cannot rest a claim to relief on the legal rights or interests of third parties.’ *Powers v. Ohio*, 499 U. S. 400, 410 (1991). **There are ‘certain, limited exceptions’ to that rule.** *Ibid.* But even when we have allowed litigants to assert the interests of others, the litigants themselves still ‘must have suffered an injury in fact, thus giving [them] a sufficiently concrete interest in the outcome of the issue in dispute.’ *Id.*, at 411 (internal quotation marks omitted).” (bold added).

29. As to the “third party” issue, the Order’s further cited case (at p. 2) of “[*Wright-Upshaw v. Nelson*](#), 13-CV-33, 2014 WL 692870, at *4 (E.D.N.Y. Feb. 19, 2014),” sets forth the state of the law:

“a plaintiff asserting a claim on behalf of a third party must satisfy all of the constitutional standing requirements and must additionally demonstrate ‘a close relation to the injured third party and a hindrance to that party’s ability to protect its own interests.’ *Mid-Hudson*, [418 F.3d at 174](#).”¹¹

¹¹ *Mid-Hudson Catskill Rural Migrant Ministry, Inc. v. Fine Host Corp.*, [418 F.3d 168, 173](#) (2d Cir. 2005).

30. Having now, by the above-particularization of the complaint's ¶95(a), satisfied the "constitutional standing requirements" as to myself of injury, attributable to defendants, here is the required "close relation to the injured third party and a hindrance to that party's ability to protect its own interests"

31. I have a "close relation" to "the People of the State of New York", the subject of the complaint's ¶95(c), as I am one of those People, yet materially different in that I am not "clueless" as to what has been going on, "destroying a 'Republican Form of Government'", concealed and abetted by the press, with which I have interacted for decades, at injurious personal cost. This press-caused "clueless"-ness wholly prevents "the People of the State of New York" from protecting themselves in ANY respect – including by elections to "throw the bums out" – these bums being their elected constitutional officers in New York's three branches of its state government who have betrayed the People by their violations of their oaths of office.

32. Indeed, at issue is not just "hindrance", but the utter impossibility of a "clueless" "People of the State of New York" protecting their own interests, other than through CJA and myself, where, moreover, the only state officers who would have standing to do so – first and foremost, New York's Attorney General – are the very ones who have subverted New York's "Republican Form of Government".

33. In this regard, this case meets the high standard for "third party" standing that was focal to Justice Powell's dissent in *Singleton v. Wulf*, wherein, joined by Chief Justice Burger and Associate Justices Stewart and Rehnquist, he stated (at p. 126):

"assertion is proper not when there is merely some 'obstacle' to the [third party] rightholder's own litigation, but when such litigation is, in all practicable terms, impossible."

34. All of the foregoing, sufficient at the pleading stage – and for summary judgment – represents concrete and actual injury, past and ongoing, attributable to defendants, remedial by the complaint’s four causes of action – for “Journalistic Fraud”, “Institutional Reckless Disregard for Truth”, “Defrauding Purchasers, Contributors, & Taxpayers”, and “Conspiracy” – and by its requested other and further relief:

“referring defendants to the U.S. Department of Justice and Federal Communications Commission for investigation and prosecution of their frauds and conspiracy crimes.”

Elena Ruth Sassower

Sworn to before me
this ____ day of January 2026

Notary Public