

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

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**From:** Center for Judicial Accountability, Inc. (CJA) [elena@judgewatch.org]  
**Sent:** Tuesday, April 10, 2012 6:25 PM  
**To:** 'Michael Gibson'; 'Meghan H. Sullivan'; 'Mark A. Fowler'  
**Cc:** 'Jim'  
**Subject:** appearances, but no oral argument tomorrow, 4-11-12: Sassower v. Gannett--#12596/2010

Dear Mr. Gibson,

I was unaware – until your yesterday’s e-mail, responding to mine – that no oral argument would be taken on the motion, but that appearances would, nonetheless, be required.

I have just spoken with Diane, at Justice Cohalan’s chambers (#631-852-2395), who has confirmed that this is so. She stated that we should be at the Court between 9:30 – 10:00 am.

By the way, I did not receive any sur-reply from you – and so assume that you filed none.

Elena Sassower  
631-377-3583  
Cell: 646-220-7987

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**From:** Michael Gibson [mailto:mgibson@ssbb.com]  
**Sent:** Monday, April 09, 2012 2:27 PM  
**To:** Michael Gibson; 'Center for Judicial Accountability, Inc. (CJA)'; Meghan H. Sullivan; Mark A. Fowler  
**Cc:** 'Jim'  
**Subject:** RE: Confirmation? April 11th adjourned date: Sassower v. Gannett--#12596/2010

Ms. Sassower:

To clarify my last email, the Judge directed that all *pro se* parties appear in person on Wednesday, as well as all represented parties through their counsel.

Michael H. Gibson  
Satterlee Stephens Burke & Burke LLP  
230 Park Avenue, Suite 1130  
New York, New York 10169  
P: (212) 404-8726  
F: (212)818-9606

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**From:** Michael Gibson  
**Sent:** Monday, April 09, 2012 2:21 PM  
**To:** 'Center for Judicial Accountability, Inc. (CJA)'; Meghan H. Sullivan; Mark A. Fowler  
**Cc:** 'Jim'

8/17/2012



**Subject:** RE: Confirmation? April 11th adjourned date: Sassower v. Gannett--#12596/2010

Ms. Sassower:

We have confirmed that the case is on the calendar for this Wednesday. However, we wanted to alert you, to the extent you may not have already received the information, that the Court called us several weeks ago and advised that there would be no argument taken on the motion. Nonetheless, the Judge would like all parties and their counsel present in the courtroom on Wednesday.

Regards,

Michael H. Gibson  
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230 Park Avenue, Suite 1130  
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F: (212)818-9606

**From:** Center for Judicial Accountability, Inc. (CJA) [<mailto:elena@judgewidth.org>]  
**Sent:** Monday, April 09, 2012 12:26 PM  
**To:** Michael Gibson; Meghan H. Sullivan; Mark A. Fowler  
**Cc:** 'Jim'  
**Subject:** Confirmation? April 11th adjourned date: Sassower v. Gannett--#12596/2010

TO: SATTERLEE:

Have you confirmed that we are on the calendar for Wednesday, April 11<sup>th</sup> – or do you wish me to confirm with the Court?

Thank you.

Elena Sassower

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**From:** Center for Judicial Accountability, Inc. (CJA) [<mailto:elena@judgewidth.org>]  
**Sent:** Friday, March 02, 2012 12:22 PM  
**To:** 'Michael Gibson'; 'Meghan H. Sullivan'; 'Mark A. Fowler'  
**Cc:** 'Jim'; 'Doris Sassower'  
**Subject:** thank you for your follow-up -- RE: April 11th adjourned date: Sassower v. Gannett--#12596/2010

& regards, which are always nice to receive.

What a shame that the important issues of plaintiffs' lawsuit cannot be amicably resolved between us.

-- Elena Sassower

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**From:** Michael Gibson [<mailto:mgibson@ssbb.com>]  
**Sent:** Friday, March 02, 2012 12:11 PM  
**To:** 'Center for Judicial Accountability, Inc. (CJA)'; Meghan H. Sullivan; Mark A. Fowler

8/17/2012

**Cc:** 'Jim'; 'Doris Sassower'

**Subject:** RE: April 11th adjourned date: Sassower v. Gannett--#12596/2010

Please see attached.

Regards,

Michael H. Gibson  
Satterlee Stephens Burke & Burke LLP  
230 Park Avenue, Suite 1130  
New York, New York 10169  
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F: (212)818-9606

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**From:** Center for Judicial Accountability, Inc. (CJA) [<mailto:elena@judgewatch.org>]  
**Sent:** Thursday, March 01, 2012 10:56 AM  
**To:** Meghan H. Sullivan; Michael Gibson; Mark A. Fowler; James J. Regan  
**Cc:** 'Jim'; 'Doris Sassower'  
**Subject:** April 11th adjourned date: Sassower v. Gannett--#12596/2010

Dear Ms. Sullivan,

James has advised that April 11<sup>th</sup> is fine with him. Therefore, kindly advise the Court, as you stated you would – and confirm that the oral argument has been rescheduled for that date.

Thank you.

Elena Sassower

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**From:** Center for Judicial Accountability, Inc. (CJA) [<mailto:elena@judgewatch.org>]  
**Sent:** Tuesday, February 28, 2012 10:02 AM  
**To:** 'Meghan H. Sullivan'; 'Michael Gibson'; 'Mark A. Fowler'; 'James J. Regan'  
**Cc:** 'Jim'; 'Doris Sassower'  
**Subject:** Awaiting confirmation on April 11th adjourned date: Sassower v. Gannett--#12596/2010

Dear Ms. Sullivan,

I have just left a voice mail message for James, to confirm his availability on April 11<sup>th</sup>. Will be in touch.

Thanks, back.

Elena Sassower

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**From:** Meghan H. Sullivan [<mailto:msullivan@ssbb.com>]  
**Sent:** Tuesday, February 28, 2012 9:54 AM  
**To:** Center for Judicial Accountability, Inc. (CJA); Michael Gibson; Mark A. Fowler; James J. Regan  
**Cc:** 'Jim'; 'Doris Sassower'

8/17/2012

**Subject:** RE: Court confirmtion of adjournment request: Sassower v. Gannett--#12596/2010

Ms. Sassower-

We appreciate your understanding. April 11th is fine for us. Please let me know when you've had a chance to confirm Mr. DeFelice's availability for that date; I will wait to contact the court until I know Mr. DeFelice is able to attend the oral argument then.

-Meghan Sullivan

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**From:** Center for Judicial Accountability, Inc. (CJA) [elena@judgewatch.org]  
**Sent:** Monday, February 27, 2012 9:21 PM  
**To:** Meghan H. Sullivan; Michael Gibson; Mark A. Fowler; James J. Regan  
**Cc:** 'Jim'; 'Doris Sassower'  
**Subject:** RE: Court confirmtion of adjournment request: Sassower v. Gannett--#12596/2010

Dear Ms. Sullivan,

Apologies for the delay. Just received your e-mail. No problem rescheduling.

I have conflicting obligations during the week preceding April 1<sup>st</sup>. April 4<sup>th</sup> should not be a problem, but since my father' 88<sup>th</sup> birthday is April 3<sup>rd</sup>, I would actually prefer April 11<sup>th</sup>, if that works for you & such other Satterlee counsel as are planning to be present, as well as for James, with whom I have not yet spoken.

Elena Sassower

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**From:** Meghan H. Sullivan [mailto:msullivan@ssbb.com]  
**Sent:** Friday, February 24, 2012 3:38 PM  
**To:** Center for Judicial Accountability, Inc. (CJA); Michael Gibson; Mark A. Fowler; James J. Regan  
**Cc:** 'Jim'; 'Doris Sassower'  
**Subject:** RE: Court confirmtion of adjournment request: Sassower v. Gannett--#12596/2010

Ms. Sassower-

Due to a scheduling conflict that has just arisen, we would like to ask the court for a brief adjournment of the oral argument scheduled for March 14th. Please let me know if your calendar would permit rescheduling the argument for March 28th or April 4th. If so, we would be happy to notify the court of our request for an adjournment.

Many thanks in advance for your anticipated cooperation.

-Meghan Sullivan

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**From:** Center for Judicial Accountability, Inc. (CJA) [elena@judgewatch.org]  
**Sent:** Friday, January 20, 2012 9:58 AM  
**To:** Michael Gibson; Mark A. Fowler; James J. Regan; Meghan H. Sullivan  
**Cc:** 'Jim'; 'Doris Sassower'  
**Subject:** Court confirmtion of adjournment request: Sassower v. Gannett--#12596/2010

8/17/2012

I have just telephoned Justice Cohalan's secretary, Diane (631-852-2395), who confirmed receipt of the attached adjournment letter I had faxed to her yesterday. She stated that no appearances are necessary on January 25<sup>th</sup> and that oral argument on plaintiff's motion would be placed on the court calendar for March 14<sup>th</sup> at that time.

Thank you.

Elena Sassower, *pro se* individually

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**From:** Center for Judicial Accountability, Inc. (CJA) [<mailto:elena@judgewidth.org>]  
**Sent:** Thursday, January 19, 2012 3:36 PM  
**To:** 'Michael Gibson'; 'Mark A. Fowler'; 'Meghan H. Sullivan'  
**Cc:** 'Jim'  
**Subject:** March 14th adjournment request to Court: Sassower v. Gannett--#12596/2010

Will follow-up with the Court tomorrow to further confirm.

Thank you.

Elena Sassower, *pro se* individually

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**From:** Michael Gibson [<mailto:mjgibson@ssbb.com>]  
**Sent:** Thursday, January 19, 2012 11:31 AM  
**To:** 'Center for Judicial Accountability, Inc. (CJA)'; Mark A. Fowler; James J. Regan; Meghan H. Sullivan  
**Cc:** 'James DeFelice'  
**Subject:** RE: Setting an Adjourned Date for Oral Argument: Sassower v. Gannett--#12596/2010

Ms. Sassower,

Defendants agree to the following schedule:

1. Reply papers to be served on or by February 10, 2012.
2. Sur-reply papers (if any) to be served on or by March 1, 2012.
3. Argument on March 14, 2012.

Please confirm your acceptance of these terms, as well as the Court's availability on March 14<sup>th</sup>.

Michael H. Gibson  
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**From:** Center for Judicial Accountability, Inc. (CJA) [<mailto:elena@judgewidth.org>]  
**Sent:** Thursday, January 19, 2012 10:25 AM

8/17/2012

**To:** Michael Gibson; Mark A. Fowler; James J. Regan; Meghan H. Sullivan  
**Cc:** 'James DeFelice'  
**Subject:** Setting an Adjourned Date for Oral Argument: Sassower v. Gannett--#12596/2010

March 14<sup>th</sup> would be available for me, as well.

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**From:** Jim [[mailto:jim\\_defelice@yahoo.com](mailto:jim_defelice@yahoo.com)]  
**Sent:** Thursday, January 19, 2012 9:47 AM  
**To:** Center for Judicial Accountability, Inc. (CJA)  
**Cc:** Michael Gibson; Mark A. Fowler; James J. Regan; Meghan H. Sullivan; Doris Sassower  
**Subject:** Re: Forgot to add -- FW: Compromise Solution -- RE: Oral Argument: Sassower v. Gannett--#12596/2010

I can't do the 29th. And I have a criminal trial scheduled the week of the 5th. March 14th would work best.

Sent from my iPhone

On Jan 18, 2012, at 4:06 PM, "Center for Judicial Accountability, Inc. (CJA)" <[elena@judgewidth.org](mailto:elena@judgewidth.org)> wrote:

I would not object to your interposing a sur-reply, should you so-choose.

Elena Sassower, *pro se* individually

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**From:** Center for Judicial Accountability, Inc. (CJA) [<mailto:elena@judgewidth.org>]  
**Sent:** Wednesday, January 18, 2012 3:56 PM  
**To:** 'Michael Gibson'; 'Mark A. Fowler'; 'James J. Regan'; 'Meghan H. Sullivan'  
**Cc:** 'James DeFelice'; 'Doris Sassower'  
**Subject:** Compromise Solution -- RE: Oral Argument: Sassower v. Gannett--#12596/2010

Dear Mr. Gibson,

Thank you for your consent. However, I am at a loss to understand your "condition", as you chose not to cross-move and, therefore, have no right of reply to my reply papers.

In any event, I am overloaded with other matters to the end of this month and will not have the opportunity to prepare a reply until the beginning of February. Let us, therefore, compromise. I will agree to e-mail my reply papers to you by February 10<sup>th</sup> – which will give you twelve days before the February 22<sup>nd</sup> oral argument date. How does that sound?

Elena Sassower, *pro se* individually

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**From:** Michael Gibson [<mailto:mjgibson@ssbb.com>]  
**Sent:** Tuesday, January 17, 2012 11:07 AM  
**To:** 'Center for Judicial Accountability, Inc. (CJA)'; Mark A. Fowler; James J. Regan; Meghan H. Sullivan  
**Cc:** 'James DeFelice'; 'Doris Sassower'  
**Subject:** RE: Oral Argument: Sassower v. Gannett--#12596/2010

Ms. Sassower,

We consent to the adjournment of argument to February 22<sup>nd</sup>, on the condition that you agree to serve your reply papers as to be received by this office no later than January 24<sup>th</sup>.

Please advise if you agree to these terms.

Michael H. Gibson  
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230 Park Avenue, Suite 1130  
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P: (212) 404-8726  
F: (212)818-9606

**From:** Center for Judicial Accountability, Inc. (CJA) [<mailto:elena@judgwatch.org>]  
**Sent:** Tuesday, January 17, 2012 9:37 AM  
**To:** Michael Gibson; Mark A. Fowler; James J. Regan; Meghan H. Sullivan  
**Cc:** 'James DeFelice'; 'Doris Sassower'  
**Subject:** Oral Argument: Sassower v. Gannett--#12596/2010

TO: SATTERLEE, STEPHENS, BURKE & BURKE –

Due to work overload and scheduling conflicts, I have contacted Judge Cohalan's calendar clerk, Denise, regarding procedure for adjourning oral argument on plaintiffs' December 21, 2011 motion, which the Court calendared for Wednesday, January 25<sup>th</sup> – and was advised that it would be more efficient to first select a mutually-agreeable date with adverse counsel. Mr. DeFelice has suggested Wednesday, February 22<sup>nd</sup>. Is that agreeable to you?

Please advise or suggest alternative dates so that I may notify the Court.

Thank you.

Elena Sassower, Pro Se individually