

**SUPREME COURT, APPELLATE DIVISION
FOURTH JUDICIAL DEPARTMENT
ATTORNEY GRIEVANCE COMPLAINT FORM**

COMPLAINANT INFORMATION:

Name: Elena Ruth Sassower/Director – Center for Judicial Accountability, Inc. (CJA)
Address: Box 8101, White Plains, New York 10602
Telephone: 914-421-1200
Cell: 646-220-7987
Email: elena@judgewatch.org

ATTORNEY COMPLAINED OF:

Name: Eugene M. Fahey, Esq.
Office Address: c/o NYS Commission on Legislative, Judicial & Executive Compensation
64 Beaver Street, Box 454, NY, NY 10004
Telephone: ?
Email: nyscompensation@gmail.com

CONTACT WITH OTHER AGENCIES:

Have you filed a complaint with any other agency, such as a Bar Association or District Attorney's Office? If yes, state the name of the agency:

- (1) Attorney General James' Public Integrity Bureau;
- (2) the NYS Commission on Ethics and Lobbying in Government (COELIG);
- (3) First, Second, and Third Department Appellate Division Attorney Grievance Committees (complaints against the other five attorney-members of the Commission on Legislative, Judicial & Executive Compensation).

What action was taken by the agency?

The complaints have just been filed.

COURT ACTION TAKEN BY YOU AGAINST THE ATTORNEY:

Have you taken any civil or criminal action against the attorney?

No.

ALLEGATIONS:

This is a conflict-of-interest/corruption complaint against attorney Eugene Fahey (#1974534/Fourth Dept. 1985), as chair of the seven-member New York State Commission on Legislative, Judicial and Executive Compensation, for his knowing and deliberate violations of, *inter alia*:

- [Public Officers Law §74](#) “Code of Ethics”;
- [Penal Law §175.35](#): “Offering a false instrument for filing in the first degree”;
- [Penal Law §195](#): “Official misconduct”;
- [Penal Law §105.15](#): “Conspiracy in the second degree”;
- [Penal Law §20.00](#): “Criminal liability for conduct of another”;
- [Penal Law Article 496: “PUBLIC TRUST ACT”](#) –
 - [§496.06](#): “Public corruption”;
 - [§496.05](#): “Corrupting the government in the first degree”.

These constitute violations of [New York’s Rules of Professional Conduct](#) and, specifically, Rule 8.4 “Misconduct” and Rule 8.3 “Reporting Professional Misconduct”, over which the Appellate Division Attorney Grievance Committees have jurisdiction.

The facts and evidence substantiating this complaint are set forth by CJA’s January 18, 2024 Opposition Report to the Commission on Legislative, Judicial and Executive Compensation’s misnomered December 4, 2023 “Final Report on Judicial Compensation”. The Opposition Report is filled with live hyperlinks to facilitate verification and, therefore, is best reviewed by pdf. Here’s the unredacted pdf, <https://www.judgewatch.org/CJA-members/monroe/unredacted/not-for-posting-1-18-24-opposition-report.pdf>, with its footnote 5 pertaining to the Independent Expert Report about the sealed Monroe County Family Court case about which I testified at the Commission’s October 13, 2023 public hearing – thereafter furnishing the Commission with an October 25, 2023 complaint based thereon by October 25-26, 2023 e-mails.

[In compliance with your complaint form requirements](#), a hard copy of the Opposition Report is enclosed with this complaint.

Signature

Date

The foregoing complaint, with attached January 18, 2024 Opposition Report, is affirmed as true under penalties of perjury, pursuant to CPLR §2106.