

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, November 4, 2021 1:13 PM
To: ad1-agc@nycourts.gov; 'AD1-AGC-newcomplaints'; cmnelson@nycourts.gov
Cc: ig@nycourts.gov; skerby@nycourts.gov
Subject: YET AGAIN: CJA's Feb. 11, 2021 Attorney Misconduct Complaint vs NY Attorney General Letitia James & NY Solicitor General Barbara Underwood

TO: First Department Attorney Grievance Committee

I have received no response to my below July 7th e-mail to you regarding my [February 11th complaint against Attorney General Letitia James and Solicitor General Barbara Underwood](#). Haven't you – by now – sent the complaint to them for their responses? And why have you not sent those responses to me for reply? Isn't that the normal and customary procedure when you "investigate" a complaint?

Please advise without further delay, furnishing me, as well, with the two docket numbers you have assigned for the complaint against each of them.

Please also advise why, on September 29th, your Administrative Assistant, Celina M. Nelson, sent me three e-mails, apprising me that because three attorneys, [Frederick Brodie, Esq. \("Docket No. 2021.0846"\)](#), [Christopher Liberati-Conant, Esq. \("Docket No. 2021.0845"\)](#), and [Helena Lynch, Esq. \("Docket No. 2021.0847"\)](#) are not within your geographic jurisdiction, you, therefore, would be taking "no further action" on my "complaint" against them, when:

- (1) the unidentified "complaint" – that of February 11th – had not been filed with you against these three attorneys for that very reason;
- (2) there was no basis for your assigning to these three attorneys docket numbers for a February 11th complaint I had never filed with you against them; and
- (3) there was no need for you to inform me that you did not have jurisdiction over them because – as clear from my February 11th complaint (fn. 1) and your complaint form, which I had completed -- I knew that already.

As Ms. Nelson's three September 29th e-mails may have been prompted by my [September 28th e-mail to Unified Court System Inspector General Sherrill Spatz](#) entitled "Complaints vs 1st & 3rd Dept Appellate Division Attorney Grievance Committee Chief Attorneys Jorge Dopico & Monica Duffy" -- to which Unified Court System Assistant Deputy Counsel/Records Access Officer Shawn Kerby was cc'd – I am cc'ing both of them on this e-mail to further reinforce Inspector General Spatz' duty to investigate what the 1st Dept. Attorney Grievance Committee has been doing, over the past nearly nine months, with my open-and-shut, FULLY-DOCUMENTED February 11th complaint against Attorney General James and Solicitor General Underwood and as a reminder that I have received no response from either of them to the September 28th e-mail, whose three attachments are [here](#), [here](#), and [here](#).

Thank you.

Elena Sassower, Director

Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, July 7, 2021 8:32 AM
To: 'ad1-agc@nycourts.gov' <ad1-agc@nycourts.gov>

Subject: What's happening? -- CJA's Feb. 11, 2021 Attorney Misconduct Complaint vs NY Solicitor General Barbara Underwood -- & NY Attorney General Letitia James

Per your auto-acknowledgment, with your further e-mail address: ad1-agc@nycourts.gov, see below –

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, July 7, 2021 7:34 AM
To: 'AD1-AGC-newcomplaints' <AD1-AGC-newcomplaints@nycourts.gov>
Cc: 'ad3agc@nycourts.gov' <ad3agc@nycourts.gov>; 'AD3-AGC-IU@nycourts.gov' <AD3-AGC-IU@nycourts.gov>; 'ad2-grv2@nycourts.gov' <ad2-grv2@nycourts.gov>

Subject: What's happening? -- CJA's Feb. 11, 2021 Attorney Misconduct Complaint vs NY Solicitor General Barbara Underwood -- & NY Attorney General Letitia James

TO: First Department Attorney Grievance Committee

I have received no response to my below May 19th e-mail to you, including as to the numbers you have assigned to the complaint.

Haven't you – by now – sent the complaint to Attorney General James and Solicitor General Underwood for their responses pursuant to §1240.7(b)(2) and §1240.7(c) of the Appellate Division Rules for Attorney Disciplinary Matters? And why have you not sent me their responses for reply? Isn't that the normal and customary procedure? Also, did you not wish me to appear before the Committee and its investigators pursuant to §1240.7(d)(2) – or even to be interviewed by your Chief Attorney pursuant to §1240.7(b)(1)?

Please advise without further delay.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, May 19, 2021 2:47 PM
To: 'AD1-AGC-newcomplaints' <AD1-AGC-newcomplaints@nycourts.gov>
Cc: 'ad2-grv2@nycourts.gov' <ad2-grv2@nycourts.gov>; 'AD3-AGC-IU@nycourts.gov' <AD3-AGC-IU@nycourts.gov>; 'ad3agc@nycourts.gov' <ad3agc@nycourts.gov>

Subject: Thank you, etc. -- CJA's Feb. 11, 2021 Attorney Misconduct Complaint vs NY Solicitor General Barbara Underwood -- & NY Attorney General Letitia James

TO: First Department Attorney Grievance Committee

Thank you for your e-mail, received as I was just about to phone you – as I had on April 30th (212-401-0800, at 9:55 am), leaving a voice mail message.

Kindly advise as to whether you wish me to send you hard copies of my two supplements (of specifying particulars) to the complaint, about which my below April 27th e-mail had inquired – and the numbers you have assigned to the complaint – presumably two numbers, one for Solicitor General Underwood and one for Attorney General James.

I am available to assist you, to the max, in your investigation, including by answering questions, under oath – and by replying to such written responses as Solicitor General Underwood and Attorney General James make to the complaint pursuant to §1240.7(b)(2) and §1240.7(c) of the Appellate Division Rules for Attorney Disciplinary Matters or by appearing before the Committee or its investigators pursuant to §1240.7(d)(2).

Again, thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200

From: AD1-AGC-newcomplaints <AD1-AGC-newcomplaints@nycourts.gov>
Sent: Wednesday, May 19, 2021 1:25 PM
To: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Subject: Re: AGAIN -- STATUS, SUPPLEMENT, & QUERY: CJA's Feb. 11, 2021 Attorney Misconduct Complaint vs NY Solicitor General Barbara Underwood -- & NY Attorney General Letitia James

Good day.

Please be advised that the Committee is reviewing your complaint and you will hear from the Committee at the conclusion of the investigation.

Thank you.

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

Sent: Friday, May 14, 2021 8:17 AM

To: AD1-AGC-newcomplaints <AD1-AGC-newcomplaints@nycourts.gov>

Cc: AD2-GRV2 <AD2-GRV2@nycourts.gov>; AD3-AGC-IU <AD3-AGC-IU@nycourts.gov>; AD3AGC <AD3AGC@nycourts.gov>

Subject: AGAIN -- STATUS, SUPPLEMENT, & QUERY: CJA's Feb. 11, 2021 Attorney Misconduct Complaint vs NY Solicitor General Barbara Underwood -- & NY Attorney General Letitia James

TO: First Department Attorney Grievance Committee

I have received no response to my below April 27th e-mail, sent with the above attachment, concerning CJA's February 11, 2021 conflict-of-interest/misconduct complaint vs NY Solicitor General Underwood and Attorney General James. Please advise.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Sent: Tuesday, April 27, 2021 11:53 AM

To: 'AD1-AGC-newcomplaints@nycourts.gov' <AD1-AGC-newcomplaints@nycourts.gov>

Cc: 'ad2-grv2@nycourts.gov' <ad2-grv2@nycourts.gov>; 'AD3-AGC-IU@nycourts.gov' <AD3-AGC-IU@nycourts.gov>; 'ad3agc@nycourts.gov' <ad3agc@nycourts.gov>

Subject: STATUS, SUPPLEMENT, & QUERY: CJA's Feb. 11, 2021 Attorney Misconduct Complaint vs NY Solicitor General Barbara Underwood -- & NY Attorney General Letitia James

TO: First Department Attorney Grievance Committee

Other than an April 9th automated acknowledgment of receipt, I have received no response to my below April 9th e-mail inquiring about CJA's February 11, 2021 conflict-of-interest/misconduct complaint against Solicitor General Barbara Underwood, filed with you – and against Attorney General Letitia James, filed with the Second Department Attorney Grievance for the Second, Eleventh, and Thirteenth Judicial Districts, which its chief counsel stated to be within your jurisdiction as well.

What numbers have you assigned to the complaint against Solicitor General Underwood? And how about the complaint against Attorney General James?

As a supplement to the February 11, 2021 complaint against both of them pertaining to their litigation fraud in *Delgado v. NYS*, above-attached is a "legal autopsy"/analysis of the Appellate Division, Third

Department's March 18, 2021 "Opinion and Order" in *Delgado*, further particularizing what was done by Senior Assistant Solicitor General Victor Paladino and Assistant Attorney General Helena Lynch on their behalf, in their names. The substantiating EVIDENTIARY webpage for the "legal autopsy"/analysis is here: <http://www.judgewatch.org/web-pages/searching-nys/force-of-law-commissions/part-hhh-chapter59-laws-2018/delgado-analysis-4-25-21.htm>.

Do you need me to mail you a signed hard copy – and, if so, what complaint numbers should I be including in the transmitting letter? Also, do you need signed, hard copies of the four April 3, 2021 individualized complaint forms, with specifics, that I filed with the Third Department Grievance Committee, which my below April 9th e-mail had attached.

Please advise.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Friday, April 9, 2021 2:48 PM
To: 'AD1-AGC-newcomplaints@nycourts.gov' <AD1-AGC-newcomplaints@nycourts.gov>
Cc: 'ad2-grv2@nycourts.gov' <ad2-grv2@nycourts.gov>; 'AD3-AGC-IU@nycourts.gov' <AD3-AGC-IU@nycourts.gov>; 'ad3agc@nycourts.gov' <ad3agc@nycourts.gov>

Subject: February 11, 2021 Attorney Misconduct Complaint vs NY Solicitor General Barbara Underwood -- & NY Attorney General Letitia James

TO: First Department Attorney Grievance Committee

I have received no acknowledgment from you concerning my February 11, 2021 attorney misconduct complaint against New York Solicitor General Barbara Underwood that I e-mailed you by the below – and then, on February 12, 2021, sent you by priority mail (#9505514189661043469592), together with its sole enclosure: my February 7, 2021 judicial misconduct complaint, filed with the Commission on Judicial Conduct.

According to the above-attached USPS tracking receipt, it was delivered on February 16, 2021.

By contrast, in response to the same February 11, 2021 complaint, filed with the Second Department Attorney Grievance Committee for the Second, Eleventh, and Thirteenth Judicial Districts against New York Attorney General Letitia James, its Chief Counsel Diana Maxfield Kearsse sent me a March 3, 2021 letter stating that although Attorney General

James is admitted in the Second Department, she “is currently registered at a business address in Manhattan”, and, therefore, “the appropriate Grievance Committee is the one in the First Department”.

In the event Chief Counsel Kearse did not “blind copy” you on her March 3, 2021 letter to me, it is above-attached – as is the complaint form I filed with the Second Department Grievance Committee for my complaint against Attorney General James.

Suffice to further note that in response to the February 11, 2021 complaint, filed with the Third Department Attorney Grievance Committee against four subordinate attorneys in the Attorney General’s office, its Chief Attorney Monica Duffy sent me a March 9, 2021 letter requesting separate complaint forms for each attorney, with specifics as to the misconduct of each.

As the specifics as to those subordinates further substantiate the February 11, 2021 complaint against Attorney General James and Solicitor General Underwood for their wilful violation of their supervisory/managerial responsibilities (Rule 5.1 of the New York’s Code of Professional Conduct), above-attached are my four separate complaint forms against those attorneys, each dated April 3, 2021.

Everything is posted on CJA’s website, accessible from the menu page for the February 11, 2021 complaint, here: <http://www.judgewatch.org/web-pages/searching-nys/attorney-discipline/menu-feb-11-21-complaint-vs-james-etc.htm>.

Finally, above-attached are three superseding pages for the February 11, 2021 complaint, correcting two non-substantive, typo errors on page 5 and page 7, also affecting the layout on page 6. Apologies for any inconvenience.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, February 11, 2021 10:09 PM
To: 'AD1-AGC-newcomplaints@nycourts.gov' <AD1-AGC-newcomplaints@nycourts.gov>

Subject: Attorney Misconduct Complaint -- NY Solicitor General Barbara Underwood

TO: 1st Department Attorney Grievance Committee

Attached is my signed complaint form, plus my complaint & Exhibits A & B. Exhibits C, D, & E will be sent in a separate e-mail, as likewise my accompanying complaint to Commission on Judicial Conduct. All are posted on CJA's website, [www.judgewatch](http://www.judgewatch.org), here: <http://www.judgewatch.org/web-pages/searching-nys/attorney-discipline/feb-11-21-complaint-vs-james-etc.htm>. Hard copy will be mailed.

Thank you.

Elena Sassower, Director
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