

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, April 29, 2025 8:19 AM
To: 'AD1-AGC@nycourts.gov'

Subject: Time to "reactivate the investigation" & to supplement/expand sua sponte -- Your Oct 28, 2024 letter (AG Letitia James #2024.2916) AND Nov 12, 2024 letter (SG Barbara Underwood (#2024.3047))

TO: [Appellate Division, First Dept. Attorney Grievance Committee Chief Attorney Jorge Dopico](#)

On October 24, 2024, I filed complaints against Attorney General Letitia James and Solicitor General Barbara Underwood for violation of [New York's Rules of Professional Conduct](#) and litigation fraud at the Appellate Division, Third Department in *CJA v. JCOPE, et al.* ([CV-23-0115](#)). The next day, I filed an [October 25, 2024 complaint against Attorney General James](#) for violation of [New York's Rules of Professional Conduct](#) and litigation fraud in Supreme Court in *CJA v. Commission on Legislative, Judicial and Executive Compensation, et al.* ([Albany Co. #902654-24](#)). In each lawsuit I had filed an October 21, 2024 notice of appeal, of right, to the Court of Appeals – and my two complaints furnished them to you, with their appended “legal autopsy”/analyses and preliminary appeal statements.

You responded by two letters identical except for their dates, complained-against attorney, and complaint numbers. The [first letter, dated October 28, 2024, was for “Matter of Letitia A. James, Esq. Docket No. 2024.2916”](#). The [second letter, dated November 12, 2024, was for “Matter of Barbara D. Underwood, Esq. Docket No. 2024.3047”](#). They read:

“As you know, there is pending litigation concerning allegations which are substantially similar to the material allegations of professional misconduct you have alleged here. In particular, your allegations that [Attorney General James] [Barbara Underwood] engaged in litigation fraud and had conflicts of interest will likely be litigated as part of your appeal to the Court of Appeals.

We have found that a judicial determination of such matters is helpful to the Committee. Accordingly, we have determined to defer further investigation at this time. Please inform us by **email** of any court decision or other event which may warrant an investigation. We will notify you if we determine, at a later date, to reactivate the investigation.” (bold in the original).

As requested by your two letters, I now “inform [you] by **email** of any court decision or event which may warrant an investigation”, because they do:

- at the Court of Appeals, AG James and SG Underwood continued to violate New York's Rules of Professional Conduct and engage in litigation fraud – and I documented this, for each appeal, by responding submissions and, additionally, by a [December 23, 2024 motion for enforcement of the Court's Rule 500.1\(a\)](#) against them and a [January 9, 2025 letter in further support](#);
- by a [March 18, 2025 Order](#), the Court dismissed and denied the appeals of right and denied the December 23, 2024 motion, without identifying or addressing ANY of the facts,

law, or legal argument I had presented – or the state of the record – because ALL were dispositive of appellants’ entitlement to the relief sought; and

- I particularized the fraudulence of the Court’s March 18, 2025 Order by a [24-page “legal autopsy”/analysis](#) – and it is Exhibit B to my [April 17, 2025 motion for reargument/transfer-certification](#), returnable May 5, 2025.

Based on the foregoing, to whose truth I swear under penalties of perjury, please confirm:

- (1) that you will “reactivate the investigation” of the October 24, 2024 and October 25, 2024 complaints and direct AG James and SG Underwood to provide written responses pursuant to [§1240.7\(b\)\(2\) of the Rules for Attorney Disciplinary Matters](#); and
- (2) that, pursuant to §1240.7(a)(1), you will *sua sponte* be deeming this e-mail as a supplement to those two complaints so that each will now be expanded to include AG James’ and SG Underwood’s violations of New York’s Rules of Professional Conduct and litigation fraud at the Court of Appeals, subverting appeals to which they had NO legitimate defense.

CJA’s webpages for the October 24, 2024 and October 25, 2024 complaints are [here](#) and [here](#), and for the appeals, at the Court of Appeals, are [here](#) and [here](#).

Thank you.

Elena Sassower, Director
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