

Center for Judicial Accountability, Inc. (CJA)

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Sent: Saturday, November 11, 2017 6:45 AM
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Subject: Fact Check: The "overwhelming weight of evidence" that The New York Times, The Washington Post, & other media are "reliable and trustworthy" -- the definition of "journalistic fraud" -- & the viability of a cause of action based thereon
Attachments: 11-6-17-notice-nyt-fake-news-weissmann.pdf

FACT CHECK:

The "overwhelming weight of evidence" that The New York Times, The Washington Post & other media are "reliable and trustworthy" -- the definition of "journalistic fraud" -- & the viability of a cause of action based thereon

RE: Your October 18, 2017 article "*The media's definition of fake news vs Donald Trump's*", quotes Andrew Seaman, ethics chair of the Society for Professional Journalists, as saying "The New York Times, Washington Post and others all have scandals in their pasts, but the overwhelming weight of evidence shows their journalism to be reliable and trustworthy".

What is the "overwhelming weight of evidence" to which Mr. Seaman is referring? And will Mr. Seaman confront the "overwhelming weight of evidence" to the contrary?

Our New York-based non-partisan, nonprofit citizens' organization, Center for Judicial Accountability, Inc. (CJA), has, for more than 25 years, been interacting with The New York Times and has a MOUNTAIN of *prima facie*, documentary proof, of its knowingly false and dishonest reporting and editorializing, perpetuating a corrupt *status quo* -- and, in turn, being "protected" by it. This includes a 2006 lawsuit against The Times, suing it for "journalistic fraud", pivotally focused on its "protectionism" of, and "election-rigging" for, Senators Hillary Clinton and Charles Schumer -- to which, having NO legitimate defense, The Times engaged in litigation fraud. This is readily-verifiable from the lawsuit record, posted, in full, on our website, www.judgewatch.org, accessible *via* the left sidebar panel "Suing The New York Times". Likewise, the fact that The Times survived ONLY because it was the beneficiary of fraudulent judicial decisions, on both trial and appellate levels.

The lawsuit, which ended in 2008, did not result in any pause in The Times' "journalistic fraud" and "election-rigging", whose continuation we have documented again, and, again, and again, including by formal complaints to The Times. Our most recent complaint was five days ago, when

we sent The Times a "Notice of 'Fake News'/'Journalistic Fraud'" demonstrating its October 31, 2017 news article "*Andrew Weissmann, Mueller's Legal Pit Bull*" to be "rigged" and stating:

"Whether this rigging is best described as 'fake news', the phrase popularized, if not coined, by President Donald Trump, or 'journalistic fraud', the phrase coined by The New York Times in its 2003 front-page confessional about Jayson Blair, it requires prompt and public explanation and corrective steps."

The concluding paragraph identified that "to propel public discussion and in-depth investigation", we had posted the November 6, 2017 Notice on our website, accessible, with substantiating proof, *via* the top panel "Latest News" -- and that we would be giving notice of same "to other media, to political and media commentators, and to such interested parties as President Trump [and] the attorneys for the recently-indicted defendants...". For your convenience, the November 6, 2017 Notice is attached and the direct link to its substantiating webpage is here: <http://www.judgewatch.org/web-pages/press-fake-news/andrew-weissmann.htm>.

There is more, much more that we have documented -- and not only as to the demonstrably "fake news" of The New York Times -- but the "fake news" of the other media giant, Gannett, which we sued in 2010, likewise for its "journalistic fraud" and "election-rigging", as to which the lawsuit record, accessible *via* our website's left sidebar panel "Press Suppression", shows the identical pattern: that it engaged in litigation fraud because it had NO legitimate defense and was rewarded by fraudulent judicial decisions, trial and appellate. And then, there is the "fake news" of The Washington Post, as, *inter alia*, here: <http://www.judgewatch.org/web-pages/disruption-of-congress/disruption-what-media-did.htm>, and of other media, including the internet media and journalists that purport to be muckraking -- and the so-called media scholars, academic institutions, and commentators.

I am available to assist PolitiFact/PunditFact, to the max, in rebutting, WITH EVIDENCE, the myths about the reliability and trustworthiness of The New York Times, The Washington Post, Gannett, etc. To that end, I am cc'ing media ethics expert Andrew Seaman, who surely will not want to waste any time in confronting the enormity of what is here presented -- beginning with the most recent, CJA's attached November 6, 2017 Notice to The Times. When would he anticipate that The Times will be responding to it -- and what phase does he deem best descriptive of its October 31, 2017 article on Andrew Weissmann?

I myself believe "journalistic fraud" to be a more accurate phrase than "fake news" -- but the media appears to have largely dropped the phrase "journalistic fraud" from its lexicon. Likewise media scholars and commentators. Perhaps this is simply because the President is trumpeting the phrase "fake news". Or perhaps it is to diminish the possibility of future lawsuits asserting a **cause of action for "journalistic fraud", as proposed by the law review article "Journalistic Malpractice: Suing Jayson Blair and the New York Times for Fraud and Negligence", 14 Fordham Intellectual Property, Media & Entertainment Law Journal 1 (2003), whose viability our lawsuits against The New York Times and Gannett sought to PROVE and DID PROVE. This, too, is worthy of verification by PolitiFact/PunditFact.**

Thank you.

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