

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewidth.org>
Sent: Monday, May 3, 2021 10:04 AM
To: 'rgavin@timesunion.com'
Subject: Scheduling -- Follow-up to your April 27, 2021 Albany Times Union article "Chief Judge Janet DiFiore accused of 'potential conflict'"
Attachments: 2-7-21-cjc-complaint-superseding.pdf; 2-7-21-cjc-ex-a-dec-31-2015-ltr.pdf; 2-7-21-cjc-ex-b-jan-15-2016-ltr.pdf

TO: Robert Gavin/Albany Times Union

I'm tied up right now, so I cannot call you, this morning, as I had intended, with respect to my below April 29th e-mail to you with the above-attached. Would tomorrow morning be convenient – or some other time tomorrow? Please advise as to what would best fit your schedule. I assume you are reachable *via* the phone number indicated for you on the bottom of your April 27th article: (518) 434-2403.

Thank you.

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

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewidth.org>
Sent: Thursday, April 29, 2021 4:27 PM
To: 'rgavin@timesunion.com' <rgavin@timesunion.com>
Cc: 'sherman@wmlawny.com' <sherman@wmlawny.com>; 'jpane@younglawgroup.org' <jpane@younglawgroup.org>
Subject: Follow-up to your April 27, 2021 Albany Times Union article "Chief Judge Janet DiFiore accused of 'potential conflict'"

TO: Robert Gavin/Albany Times Union

Your April 27, 2021 Albany Times Union article "Chief Judge Janet DiFiore accused of 'potential conflict'" – like the April 26, 2021 New York Law Journal article to which it refers -- quotes former New York Law Journal reporter-turned Court of Appeals spokesman Gary Spencer as stating Court of Appeals judges “exercise a personal recusal and step off of the case” when they “find they have a conflict of interest” – and that, absent recusal, “they do not discuss whether any potential conflicts were considered”.

It is a LIE for Mr. Spencer to purport – and for you to uncritically repeat -- that when Court of Appeals judges “find they have a conflict of interest”, they “exercise a personal recusal and step off of the case”. Indeed, the most recent PROOF is laid out in a FULLY-DOCUMENTED February 7, 2021 conflict-of-interest/misconduct complaint against the Court of Appeals judges, filed with the Commission on Judicial Conduct, pertaining to their OWN pay raises and the Judiciary budget, challenged by the landmark *CJA v. Cuomo...Schneiderman...DiFiore* citizen-taxpayer action, which came before the Court of Appeals on appeals by right and by leave.