

**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>  
**Sent:** Sunday, October 9, 2022 9:13 PM  
**To:** 'cseiler@timesunion.com'  
**Cc:** 'Bragg, Christopher'; 'ghearst@timesunion.com';  
'jjochnowitz@timesunion.com'; 'ttyler@timesunion.com';  
'anorder@timesunion.com'; 'cchurchill@timesunion.com';  
'smehalick@timesunion.com'; 'llewis@timesunion.com'; 'Lyons, Brendan';  
'RKarlin@TimesUnion.com'; 'Joshua.Solomon@TimesUnion.com';  
'rgavin@timesunion.com'; 'Michelle.DelRey@hearst.com';  
'leemzeldin@zeldinfornewyork.com'; 'jordana@zeldinfornewyork.com';  
'info@michaelhenryforag.com'; 'info@rodriguezfornewyork.com'  
  
**Subject:** **The Albany Times Union's 2022 Election Endorsements & its Concomitant Reporting Responsibilities -- CJA v. JCOPE, et al. ("Silence is not an option", Oct. 9, 2022 opinion, Editor Casey Seiler)**

**TO: Albany Times Union Editor Casey Seiler**

Your today's opinion column "[Silence is not an option](#)" confirms – as I surmised by my below October 6<sup>th</sup> e-mail to Chris Bragg, to which you and all other members of the Times Union editorial board were cc'd – that the editorial board's questioning of Governor Hochul, reported by Mr. Bragg's October 6<sup>th</sup> article "[Hochul says she had no role in New York's \\$637M deal with campaign donor](#)", was for an upcoming Times Union editorial endorsement in the gubernatorial race.

Mr. Bragg has not responded to my below October 6<sup>th</sup> e-mail. His subsequent October 6<sup>th</sup> article "[New state ethics watchdog agrees to chew on old cases](#)" ignored the e-mail's attached and linked letter to CELG germane to its that day's meeting – and, in fact, barely reported on what transpired at [CELG's October 6<sup>th</sup> meeting](#), other than in the Times Union's agenda-driven fashion, focused on former Governor Cuomo's COVID book, unmentioned at the meeting.

For its part, the Times Union's editorial board, on October 7<sup>th</sup>, published an editorial "[Unethical secrecy: the public ought to know why nominees to the new state ethics commission didn't make the cut](#)", which, aside from its startling error that nominees to JCOPE "had to be confirmed by the state Senate in a public vote", is plainly informed by JCOPE Commissioner Gary Lavine's lawsuit challenging the constitutionality of the "independent review committee" of law school deans, approving appointments to CELG, commenced by a [September 22, 2022 verified complaint](#), as to which Mr. Bragg wrote a September 26, 2022 article "[Lawsuit seeks to strike key plank of NY ethics law](#)", concealing Mr. Lavine's corruption as a JCOPE commissioner, known to Mr. Bragg, you, and the editorial board, including from the [June 6, 2022 verified petition](#) in CJA's lawsuit against JCOPE, *et al.*, which the Times Union has not reported.

How is [Mr. Lavine's lawsuit](#) to void a "key plank" of the "ethics commission reform act of 2022" more newsworthy than [CJA's lawsuit](#) to void the "ethics commission reform act of 2022" entirely and suing Governor Hochul, Comptroller DiNapoli, Attorney General James, Temporary Senate President Stewart-Cousins, Assembly Speaker Heastie for corruption involving it. Does the Times Union dispute the electoral significance of CJA's lawsuit in establishing that these five re-election-seeking incumbents – ALL Democrats – plus scores of re-election-seeking rank-and-file state legislators, Democratic and

Republican both, must ALL be indicted for their corruption of state governance and larceny of taxpayer monies -- and will be convicted.

As Republican Gubernatorial Candidate Lee Zeldin is, like Governor Hochul, an attorney, as is, of course, Republican Attorney General Candidate Michael Henry, I am cc'ing Candidates Zeldin and Henry on this e-mail so that they can demonstrate their fitness for the offices they seek by furnishing the Times Union with their legal opinions as to the [CJA v. JCOPE, et al. verified petition and the record pertaining thereto](#). For the same reason, I am cc'ing Republican Comptroller Candidate Paul Rodriguez, who, if he is unable to give his professional opinion as to whether the New York State budget complies with explicit constitutional, statutory, and rule requirements, must be deemed unfit for the Comptroller office he seeks. The webpage for my prior contacts with these three candidates for New York's top statewide offices, furnishing them the facts underlying and culminating in the lawsuit is [here](#) and [here](#) and [here](#) – and you should ask them what investigation they did with respect thereto, as I received no responses from them.

Finally, among the sources to whom you should be able to turn for unbiased expert evaluation of the [CJA v. JCOPE, et al. lawsuit record](#) are the New York State Bar Association and New York City Bar Association – and each should be able to also assist you by providing you with names of scholars of the New York State Constitution, of litigation rules and procedures, and of ethics, who could further furnish you with expert guidance. These two bar associations – which are this state's most important bar associations – are fully familiar with the state of the record. My September 25, 2022 e-mails to them for their legal opinions and for scholarship are [here](#) and [here](#) – and you should ask them what action they took with respect thereto, as I received no responses from them.

As TIME IS OF THE ESSENCE and reporting on the lawsuit properly precedes editorializing, please confirm by no later than Tuesday noon that the Times Union will be reporting on the *CJA v. JCOPE, et al.* lawsuit record – and, if not, why not – so that I may advise New York's other electorally-endorsing newspapers and media – and the so-called “notorious hedge fund Alden Global Capital” that you criticize.

As always, I am available to assist you and answer all questions – including as to the flagrant corruption and conflicts of interest of the “independent review committee”, known to Mr. Lavine, but concealed by his lawsuit and pertaining to three of the seven CELG nominees it approved. So that you can question Mr. Lavine – and also follow up with the “independent review committee” – here are my [August 4, 2022 e-mail](#) to its 15 law school deans, to which Mr. Lavine was cc'd and, additionally, [my August 22, 2022 e-mail](#) to the deans, to which Mr. Lavine was also cc'd, each with live links from which the referred-to evidence is accessible. Since the Times Union has persisted in heralding Mr. Lavine as if he were actually a credible source and whistle-blower, rather than a manipulating partisan, did he not share these with you?

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
[www.judgewatch.org](http://www.judgewatch.org)  
914-421-1200  
[elena@judgewatch.org](mailto:elena@judgewatch.org)

---

---

**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Thursday, October 6, 2022 9:48 AM  
**To:** 'Bragg, Christopher' <[cbragg@timesunion.com](mailto:cbragg@timesunion.com)>  
**Cc:** 'ghearst@timesunion.com' <[ghearst@timesunion.com](mailto:ghearst@timesunion.com)>; 'cseiler@timesunion.com' <[cseiler@timesunion.com](mailto:cseiler@timesunion.com)>; 'jjochnowitz@timesunion.com' <[jjochnowitz@timesunion.com](mailto:jjochnowitz@timesunion.com)>; 'ttyler@timesunion.com' <[ttyler@timesunion.com](mailto:ttyler@timesunion.com)>; 'anorder@timesunion.com' <[anorder@timesunion.com](mailto:anorder@timesunion.com)>; 'cchurchill@timesunion.com' <[cchurchill@timesunion.com](mailto:cchurchill@timesunion.com)>; 'smehalick@timesunion.com' <[smehalick@timesunion.com](mailto:smehalick@timesunion.com)>; 'llewis@timesunion.com' <[llewis@timesunion.com](mailto:llewis@timesunion.com)>; 'Lyons, Brendan' <[blyons@timesunion.com](mailto:blyons@timesunion.com)>; 'RKarlin@TimesUnion.com' <[RKarlin@TimesUnion.com](mailto:RKarlin@TimesUnion.com)>; 'Joshua.Solomon@TimesUnion.com' <[Joshua.Solomon@TimesUnion.com](mailto:Joshua.Solomon@TimesUnion.com)>; 'rgavin@timesunion.com' <[rgavin@timesunion.com](mailto:rgavin@timesunion.com)>; 'Michelle.DelRey@hearst.com' <[Michelle.DelRey@hearst.com](mailto:Michelle.DelRey@hearst.com)>

**Subject: Today's meeting of the CELG Commissioners, etc.**

**TO: Chris Bragg/Albany Times Union**

As I assume you will be reporting on today's CELG meeting, below is the e-mail I sent to CELG and six of the seven commissioners a short time ago, with the above-attached.

By the way, and *a propos* of your today's article "[Hochul says she had no role in New York's \\$637M deal with campaign donor](#)", identifying that on Tuesday she "fielded questions from the newspaper's editorial board" – presumably in connection with the Times Union's upcoming electoral endorsement in the gubernatorial race – did you or the editorial board ask Governor Hochul why she still has NOT made her third nomination of a CELG member?

And did you or the editorial board question Hochul about the [CJA v. JCOPE, et al. lawsuit](#), to which she is a named respondent? Do you not believe the lawsuit is electorally-significant – and not only with respect to her re-election, but the re-election of AG James, Comptroller DiNapoli, Temporary Senate President Stewart-Cousins, Assembly Speaker Heastie, and scores of other state legislators? Based on the *prima facie*, open-and-shut evidence presented by the lawsuit – for which CJA is now seeking summary judgment on all ten causes of action – do you dispute that they must all be indicted for their public corruption and larceny of taxpayer monies -- and that they will be convicted.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
[www.judgewatch.org](http://www.judgewatch.org)  
914-421-1200  
[elena@judgewatch.org](mailto:elena@judgewatch.org)

---

**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Thursday, October 6, 2022 9:02 AM  
**To:** 'investigations@ethics.ny.gov' <[investigations@ethics.ny.gov](mailto:investigations@ethics.ny.gov)>; 'peter.smith@ethics.ny.gov' <[peter.smith@ethics.ny.gov](mailto:peter.smith@ethics.ny.gov)>; 'Fdavie@uts.columbia.edu' <[Fdavie@uts.columbia.edu](mailto:Fdavie@uts.columbia.edu)>;

'ecarni@hancocklaw.com' <[ecarni@hancocklaw.com](mailto:ecarni@hancocklaw.com)>; 'claudialedwards2@gmail.com' <[claudialedwards2@gmail.com](mailto:claudialedwards2@gmail.com)>; 'mcardozo@proskauer.com' <[mcardozo@proskauer.com](mailto:mcardozo@proskauer.com)>; 'ngroenwegen@gmail.com' <[ngroenwegen@gmail.com](mailto:ngroenwegen@gmail.com)>; 'sjames@barketepstein.com' <[sjames@barketepstein.com](mailto:sjames@barketepstein.com)>  
Cc: 'records@ethics.ny.gov' <[records@ethics.ny.gov](mailto:records@ethics.ny.gov)>

**Subject: Supplement to CJA's July 8, 2022 ethics complaint & for today's meeting of the CELG Commissioners as directly relevant to agenda items**

**TO: Commission on Ethics & Lobbying in Government (CELG)**

Above-attached and [here-linked](#) is my supplement of today's date to [my July 8, 2022 complaint to CELG on its Day #1](#), expressly for discussion at today's meeting of the commissioners as directly relevant to agenda items.

As stated therein, I am directly e-mailing it to six of the seven commissioners whose e-mail addresses I have, with a request that (interim) Chair Frederick Davie furnish same to (interim) Vice-Chair/former Judge Leonard Austin, whose e-mail address I do not have.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
[www.judgewatch.org](http://www.judgewatch.org)  
914-421-1200  
[elena@judgewatch.org](mailto:elena@judgewatch.org)