

THE DEMOCRATIC PARTY OF BROOKLYN
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September 4, 2003

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Via Ordinary and Certified Mail No. 7002 0510 0003 9532 8160

Hon. Margarita Lopez Torres
373A Sixth Street
Brooklyn, New York 11215

Dear Judge Lopez Torres:

I apologize for not responding to your previous writings. I erroneously believed that a learned jurist, such as yourself, would be well aware that Delegates and Alternate Delegates to the Democratic Judicial Convention stand for independent election in the Primary Election, yet to be held. The names and addresses of every candidate in any election are public record, maintained and published by the Board of Elections. Due to the fact that there are contested Primary Elections involving more than one slate of candidates for Delegates and Alternate Delegates for the Convention, the publication of the official roll awaits the outcome of said Primary. No list could exist, anywhere in the world, at the time of your prior requests.

If you were ever in want of list of candidates for Delegate and Alternate Delegate, subject to election, you should have taken immediate recourse to the Board of Elections after Designating Petitions were filed in July. The Kings County Democratic County Committee does not now, nor has it ever, maintained or published such a list. Nevertheless, as a jurist and political candidate, you are imputed with the knowledge that the applicable statute provides that the roll of duly elected Delegates and Alternate Delegates is delivered to the Temporary Convenor of the Convention, only after certification by the Board.

I similarly assumed that you would be aware of the Laws governing the proceedings of Conventions in this State. The Democratic Judicial Convention is, by statute, an autonomous body. The Kings County Democratic County Committee, does not have the authority to set forth rules, procedures or an agenda for the conduct of it's statutory mission. I commend to your attention McKinney's Consolidated Laws of New York, Book 17, entitled, "Election Law", for the information you appear to be seeking. It is my understanding that every Judge of the Civil Court of the City of New York has been issued a copy.

While I am neither an attorney nor a graduate of Law School, I suffer from the innocent belief that the floor of the Convention is open, only, to elected Delegates and their successors. I am not aware of any Convention in my thirty (30) years of attendance, which permitted a non-accredited member to be accorded the privilege of the floor, prior to it having issued nominations.

[continued]

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Lastly, I have been advised, in just the last 24 hours, that the Chairman of the Democratic State Committee has scheduled the Convention for Tuesday, September 16, 2003 at 12:00 Noon to be held in the Founders Hall of St. Francis College, 182 Remsen Street, Brooklyn, New York.

While it would have been my want to respond to your facsimile transmission, which was time stamped at 9:23 AM on, this day, Thursday, September 4, 2003, by return fax; I note for the record that, in violation of Federal Communications Commission regulations, your transmission did not contain the required "header", which would have provided your facsimile number which was, similarly, not included in your letterhead. I believe that you should bring your facsimile equipment into compliance with Federal Regulations.

Please accept all my good wishes for your current political campaign for nomination as a Justice of the Supreme Court of the State of New York. I remember, fondly, your initial nomination as a Civil Court Judge, under the avid sponsorship of Assemblyman Vito Lopez, and the unanimous vote of the Democratic Party's Executive Committee to make you the standard bearer of this organization.

If I may be of assistance in the future, you might try recourse to the telephone rather than expending copious sums in postage from, presumably, your political committee. I pride myself on returning phone calls.

Sincerely,



Jeffrey C. Feldman
Executive Director

enclosure: duplicate facsimile