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Tuesday, October 27, 2009

Hon. Shira A. Scheindlin  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

**Re: CRIMINAL ALLEGATIONS in Christine C. Anderson v. New York State et al. (07cv09599); Code of Conduct for US Judges Canon 3B(5), Protecting the People**

Dear Hon. Shira Scheindlin,

Please take appropriate action in reporting the alleged criminal misconduct of attorneys apparent in the Christine C. Anderson v. New York State et al. (07cv09599) action before you to appropriate authorities. The revised Code of Conduct for Judges, effective July 1, 2009, in Canon 3D(5) says, "*A judge should take appropriate action upon learning of reliable evidence indicating the likelihood ... a lawyer violated applicable rules of conduct.*" Also, please consider the Commentary to this Canon.

The Anderson "Whistleblower" lawsuit, coined a "Whistleblower" by yourself, revealed conduct, including "Whitewashing" of complaints by attorneys, including but not limited to, from the New York Supreme Court Appellate Division First Department, the New York Supreme Court Appellate Division First Department ~ Departmental Disciplinary Committee, the US Attorney, the District Attorney and the Assistant District Attorney violating DR 1-102 A (1), (3), (4) and (5) of the NY Lawyer's Code of Professional Responsibility and Law. Further revealed were allegations of a "Cleaner",

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Naomi Goldstein, Deputy Chief Counsel of the First Department. Attorneys also allegedly violated NY Penal laws requiring criminal investigation, including but not limited to:

§ 195.00 Official misconduct,

§ 195.05 Obstructing governmental administration in the second degree,

§ 175.20 Tampering with public records in the second degree,

§ 175.25 Tampering with public records in the first degree. (class D felony).

The attorneys , including but not limited to, from the New York Supreme Court Appellate Division First Department, the New York Supreme Court Appellate Division First Department ~ Departmental Disciplinary Committee, the US Attorney, the District Attorney and the Assistant District Attorney also violated, ***Federal Criminal Law § 241 Conspiracy against Rights***, not only against Christine Anderson, but also against the class of people whose complaints were allegedly “cleansed,” and the class “The People of NY.”

Anderson also provided testimony of a similar nature, with similar CRIMINAL allegations of Whitewashing, Favoritism and Cronyism for favored Law Firms and Lawyers, at a New York Senate Judiciary Committee Hearing Chaired by Hon. Senator John L. Sampson, which can be found @ [http://www.youtube.com/watch?v=HR8OX8uuAbw&feature=player\\_embedded](http://www.youtube.com/watch?v=HR8OX8uuAbw&feature=player_embedded) **Anderson is the second speaker.**

Another issue requiring appropriate action concerns the failure of the NY Attorney General's Office to do its duty under,

**NY Executive Law: § 63**

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*General duties. The attorney-general shall: Prosecute and defend all actions and proceedings in which the state is interested...to protect the interest of the state...*

and under,

**Public Officers Rule 17 (2)(b)**

*(b) Subject to the conditions set forth in paragraph (a) of this subdivision, the employee shall be entitled to be represented by the attorney general, provided, however, that the employee shall be entitled to representation by private counsel of his choice in any civil judicial proceeding whenever the attorney general determines based upon his investigation and review of the facts and circumstances of the case that representation by the attorney general would be inappropriate, or whenever a court of competent jurisdiction, upon appropriate motion or by a special proceeding, determines that a conflict of interest exists and that the employee is entitled to be represented by private counsel of his choice.*

The Attorney General's office representing the State Defendants in Anderson, creates a Conflict of Interest by conflicting their offices from representing Anderson and the People of New York as obligated, acting to Obstruct Justice, as the Attorney General is charged with investigating Public Office Corruption, leaving no one guarding the hen house. Certainly, the NY Attorney General's Office based on Anderson's revelations in your Federal Court now has legal obligations to investigate Anderson's claims, although the conflicts should have been assessed prior to their now conflicted position. Obviously, being in the same courtroom when Anderson reveals "Cleaners" and the likes leaves the Attorney General's Office calling for criminal investigations of their current clients and perhaps officials from their offices, notifying the appropriate Inspector Generals and Investigatory Agencies.

These criminal matters and the need for criminal investigations are not something for the jury in the civil case to decide, unless the court so decides. I have copied this

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correspondence to the attorneys for Christine Anderson and to the NY Attorney General so that they may have input and so this is not an ex parte communication. I am also unclear as to if this an ex parte communication of my case, 1:07-cv-11196-SAS, which is on Appeal after your “legally relating” my case to the Anderson “Whistleblower” case? I do not know whether all of the attorneys affected are admitted before this court.

Please do what is required by your Oath of Office, your Judicial Canons and any other legal obligations requiring your reporting the allegations levied by Anderson in Your Court, of disciplinary complaint Whitewashing for the US Attorney, the District Attorney and the Assistant District Attorney, as well as, all other alleged Criminal Activity exposed by the “Whistleblower” Anderson, to ALL appropriate authorities and investigators your obligations require.

Respectfully Yours,



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Eliot I. Bernstein  
Founder & Inventor

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cc/ec:

The Honorable Barack Hussein Obama II  
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United States of America

The Honorable Glenn A. Fine  
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United States Department of Justice

The Honorable John Conyers Jr.  
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The Honorable United States Senator Dianne Feinstein  
Senate Judiciary Committee

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The Honorable Harry I. Moatz  
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New York Senate Judiciary Committee Members:

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[breslin@senate.state.ny.us](mailto:breslin@senate.state.ny.us), [dilan@senate.state.ny.us](mailto:dilan@senate.state.ny.us), [savino@senate.state.ny.us](mailto:savino@senate.state.ny.us),  
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