

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

NEW YORK STATE  
COMMISSION ON LEGISLATIVE, JUDICIAL AND EXECUTIVE  
COMPENSATION  
PUBLIC MEETING  
CONDUCTED BY VIDEOCONFERENCE

OCTOBER 28, 2020  
10:00 A.M.

Appearances:

- Michael A. Cardozo, Esq., Chair
- Honorable Randall T. Eng (Retired)
- Mitra Hormozi, Esq.
- Dr. Seymour P. Lachman
- Peter Madonia
- Jim Malatras
- Robert Megna

Reported By : Meredith A. Bonn, RPR, CRR, CSR  
Official Court Reporter

1 MR. CARDOZO: We are now ready to formally  
2 begin. Welcome everyone.

3 Thank you, all. Let me note that those  
4 watching, the public watching from the outside, we  
5 want to welcome you and as I understand it they will  
6 be seeing just the seven or eight of us on the screen.  
7 This is a public meeting.

8 Why don't we start by I guess calling the  
9 roll to be sure we are official? So I am Michael  
10 Cardozo, the Chair of the Commission.

11 Judge Eng, are you there?

12 JUDGE ENG: I am. Randall Eng,  
13 Commissioner.

14 MR. CARDOZO: Ms. Hormozi.

15 MS. HORMOZI: Yes, here. Present.

16 MR. CARDOZO: Dr. Lachman.

17 DR. LACHMAN: Here I am.

18 MR. CARDOZO: Mr. Madonia.

19 MR. MADONIA: Here.

20 MR. CARDOZO: Mr. Malatras.

21 MR. MALATRAS: Here.

22 MR. CARDOZO: And Mr. Megna.

23 MR. MEGNA: Here.

24 MR. CARDOZO: Okay. Welcome all of you.

25 Thank you for joining us. I remind you that we have a

1 court reporter, Meredith, who will be transcribing  
2 this. Thank you.

3 So I guess I should just open it up for  
4 discussions and comments. I have gotten comments from  
5 Mr. Malatras. Anyone else have a view as to what we  
6 should be saying?

7 JUDGE ENG: I would like to confirm the  
8 factual accuracy. I'm not sure that I had a chance to  
9 see Mr. Malatras's additional comments today, but when  
10 I read it last night one thing stood out particularly  
11 and that is that I don't think there are 50 Judges  
12 that are up for consideration for recertification. I  
13 think it was 49. That's what I saw in the reports on  
14 this subject.

15 I'd like to be able to confirm the number of  
16 Judges that were considered. And 46, of course, will  
17 be fine.

18 MR. MALATRAS: Judge Eng, I just made it on  
19 the second copy, I just streamlined that entire  
20 section and just left it at the first sentence just to  
21 make it easier, trying to get at the gist more than  
22 anything. So I removed that sentence that you  
23 referred to.

24 JUDGE ENG: Thank you, yes. I didn't have a  
25 chance to look it over. All right.

1 MR. MALATRAS: Yes, the second copy would be  
2 the version to work off. I sent it later. I was late  
3 on my homework so I hope everyone doesn't --

4 MR. CARDOZO: We won't give you a default on  
5 that.

6 I did, since Judge Marks had made the  
7 announcement, just quibbling I guess, he did say, and  
8 I defer to Judge Eng as to the numbers, but he did say  
9 that among the things that the judiciary would be  
10 doing would be reducing the number significantly of  
11 certificated judges, and that process is going on  
12 right now. So I just wonder, it's not a big deal, but  
13 I wonder if we shouldn't be a little bit stronger than  
14 what is said on the top of page 12.

15 DR. LACHMAN: Why is that process starting  
16 and going on now before our report?

17 MR. CARDOZO: It has to be completed by  
18 December 31. I can't speak beyond that because there  
19 have been a number of criticisms that have been  
20 leveled against doing this right now, but that's what  
21 OCA said. Can't change that fact.

22 But why don't -- why don't Jim and I just  
23 try to play a little bit with that sentence if that's  
24 fair because I just saw it the way you changed it. I  
25 don't feel terribly strongly about it.

1 Any other comments about what we should be  
2 saying or not saying other than what Jim has hopefully  
3 added with Judge Eng's comments?

4 MS. HORMOZI: No. I think it looks good.

5 UNIDENTIFIED SPEAKER: Well written.

6 MR. CARDOZO: Well, with that, no reason to  
7 prolong this. This may be the last meeting of this  
8 infamous Commission.

9 What I suggest, if it's okay with you, let  
10 me just play with language a little bit and run it by  
11 Jim if I have any changes and in the next day or two I  
12 will send you a proposed final, give everyone a few  
13 days to, you know, comment further and if that's  
14 satisfactory we will release it. Is that a fair way  
15 to put it?

16 MR. MALATRAS: We can approve by email.

17 MR. CARDOZO: Oh, yes. No need to do more  
18 than that.

19 DR. LACHMAN: If there are recommended  
20 changes do we send it directly to the Chair of the  
21 committee or do we send it to everyone?

22 MR. CARDOZO: Send it to everyone. If you  
23 don't want to do that I will.

24 DR. LACHMAN: Okay.

25 MR. CARDOZO: We want to be sure that

1 everyone is comfortable with the ultimate document.  
2 So I will take Jim's changes that have been done this  
3 morning and if I have suggested changes I will run  
4 them by Jim first I think to make it simpler and then  
5 hopefully we will have an agreement and then I'll  
6 circulate the proposed final to everyone.

7 MR. MALATRAS: Sounds good.

8 MS. HORMOZI: Wonderful. Thank you.

9 DR. LACHMAN: Great.

10 MR. CARDOZO: Thank you.

11 Before we leave let me single out, first of  
12 all, I want to thank our court reporter. I want to  
13 thank the OCA technology staff Marty and Nick who  
14 trained us on this and also to thank in particular Nat  
15 Miller, my associate, who really deserves all the  
16 credit. If there are any typos it's his fault as  
17 well, but he's really done all the work. So, Nat,  
18 thank you.

19 Okay. Very good. Thanks a lot.

20 MS. HORMOZI: Thank you.

21 MR. CARDOZO: Meeting adjourned.

22 DR. LACHMAN: We will have this by the end  
23 of the week?

24 MR. CARDOZO: Yes.

25 DR. LACHMAN: Good.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. CARDOZO: Okay.

DR. LACHMAN: Thank you.

MR. CARDOZO: Thank you, all.

Certified to be a true and accurate transcript.

*Meredith A. Bonn*

---

Meredith A. Bonn, RPR, CRR, CSR

Official Court Reporter