



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

ROBERT H. TEMBECKJIAN
ADMINISTRATOR & COUNSEL

61 BROADWAY, SUITE 1200
NEW YORK, NEW YORK 10006

MARISA E. HARRISON
PUBLIC INFORMATION OFFICER

646-386-4800 646-458-0037
TELEPHONE FACSIMILE
www.cjc.ny.gov

NEWS RELEASE

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Contact:

*Marisa E. Harrison, Public Information Officer
(518) 453-4600*

Poughkeepsie City Court Judge's Defamation Lawsuit Against Commission Complainant Dismissed

On April 4, 2023, New York State Supreme Court Justice Maria G. Rosa dismissed a lawsuit brought by Poughkeepsie City Court Judge Frank Mora against a woman who had complained about him to the Commission on Judicial Conduct. The decision is attached and also available on the Commission's website.

In December 2022, Judge Mora sued Stacey Koch, claiming that it was defamatory for her to have made a complaint against him to the Commission. Ms. Koch is represented by Victor A. Kovner and Raphael Holoszyk-Pimentel of Davis Wright Tremaine.

The Commission intervened in the suit, due to its unique and substantial interest in protecting the integrity of its inquiries from attempts to inhibit witnesses from coming forward or cooperating.

Both Ms. Koch and the Commission filed motions to dismiss the lawsuit, which Judge Rosa granted. Judge Rosa also scheduled a hearing on April 27, 2023, to determine the fees and costs to be assessed against Judge Mora.

Statement by Commission Administrator

Commission Administrator Robert H. Tembeckjian made the following statement.

“It is essential to the integrity of the courts that witnesses feel free to report alleged ethical violations to the Judicial Conduct Commission, without fear of reprisal. This lawsuit was ill-considered and should never have been brought. Judge Rosa’s decision underscores the long-settled principle that complainants have absolute immunity against lawsuits for defamation when they address the Commission on official business.”

Counsel

Judge Mora was represented by Michael H. Sussman of Sussman & Associates, 1 Railroad Avenue, Suite 3, P.O. Box 1005, Goshen, New York 10924, (845) 294-3991.

Ms. Koch was represented by Victor A. Kovner and Raphael Holoszyc-Pimentel of Davis Wright Tremaine, 1251 Avenue of the Americas, 21st Floor, New York, New York 10020, (212) 489-8230.

The Commission was represented by Deputy Administrator Edward Lindner, Senior Litigation Counsel Denise Buckley, and Litigation Counsel David Stomes.

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