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ADMITTED TO PRACTICE IN:  
NEW YORK; NEW JERSEY;  
U.S. SUPREME COURT;  
U.S. COURTS OF APPEALS FOR THE  
SECOND AND THIRD CIRCUITS;  
U.S. DISTRICT COURTS FOR THE  
DISTRICT OF CONNECTICUT;  
NORTHERN DISTRICT OF ILLINOIS;  
DISTRICT OF NEW JERSEY;  
EASTERN, NORTHERN & SOUTHERN  
DISTRICTS OF NEW YORK;  
COURT OF INTERNATIONAL TRADE;  
COURT OF FEDERAL CLAIMS.



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**CONFIDENTIAL**

The Honorable Kathleen M. Rice  
Nassau County District Attorney  
262 Old Country Road  
Mineola, NY 11501

Dear District Attorney Rice:

The enclosures are being sent in an envelope marked "personal and confidential" to ensure that they receive your personal attention.

Were I in your position, I would certainly wish to be informed if an attorney acting on my behalf were, in the course of that representation, to disclose confidential information in violation of § 422 of the New York Social Services Law, which provides at subdivision 12:

Any person who willfully permits and any person who encourages the release of any data and information contained in the central register to persons or agencies not permitted by this title shall be guilty of a class A misdemeanor.

Similarly, if I were the DA I would also wish to be informed if an attorney acting on my behalf were, in so acting, to write a letter to a court stating *as fact* a false allegation of a criminal act that was never proven, was unconditionally dismissed five years ago, and was in no way germane to the matter before the court in the context of which the statement was made.

As indicated by the enclosures, such is the case, and there is no indication that such behavior, which began in October 2007 and has continued at least through July 2008, is likely to stop unless and until I widely publicize it, which is something I remain hesitant to do for the sake of both your reputation and mine.

Respectfully,

James M. Maloney

