



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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June 9, 2026

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Via Email: [REDACTED]

Celia A. Zahner, Esq.
Clerk of the Commission
New York State Commission on Judicial Conduct
61 Broadway, Suite 1200
New York, New York 10006

Re: Matter of Joseph F. Kasper

Dear Ms. Zahner:

I am in receipt of Respondent's reply brief in this matter, which he filed on June 5, 2026. On pages 18-19, he quotes, cites and otherwise references transcripts of his testimonial appearances during the Commission's investigation on assorted dates between December 2023 and April 2024.

I am constrained to point out that these transcripts are not part of the record before the Commission, which is limited to the Agreed Statement of Facts signed by Respondent, his counsel and the Administrator.

Respondent chose not to appear and give testimony under oath at a hearing, where assertions such as the ones he now quotes in his reply brief would have been subject to rigorous cross-examination and/or contradiction by rebuttal witnesses. Pursuant to the Commission's Operating Rules and Procedures, the Commission

Celia A. Zahner, Esq.
June 9, 2026
Page 2

should disregard all references to Respondent's investigative appearances and make its determination "upon the pleadings and the facts, conclusions and recommendation set forth in the agreed statement." 22 NYCRR § 7000.6(d).

Sincerely,



David Stromes
Senior Litigation Counsel

cc: Robert H. Tembeckjian, Esq.
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