



NEW YORK STATE
COMMISSION ON JUDICIAL CONDUCT

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CONFIDENTIAL

May 15, 2015

VIA UPS NEXT DAY AIR

Michael A. Santo, Esq.
Duffy & Duffy, PLLC
RxR Plaza, Suite 1370
Uniondale, New York 11556

Re: Matter of Michael R. Clark

Dear Mr. Santo:

Thank you for your email of May 15, 2015, to Mr. Duguay, a copy of which is enclosed, in which you confirm (1) Judge Clark's unilateral decision to rescind the resignation stipulation he entered into with my office in February 2015 and (2) his request to proceed to trial on the disciplinary charges outstanding against him.

Enclosed please also find a copy of Judge Clark's letter to the Town of Hastings dated May 12, 2015, in which he rescinds his resignation.

In response to Respondent's letter and your confirmation of his material breach of the terms of the Stipulation, please be advised that pursuant to paragraph 10 of the Stipulation, the Administrator will publicly release the Stipulation and exhibits. The Commission's Decision and Order dated March 17, 2015, accepting the Stipulation, and this letter to you *inter alia* confirming its breach, will also become public.

Michael A. Santo, Esq.

May 15, 2015

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Further, by copy of this letter to Jean M. Savanyu, Clerk of the Commission, I am asking the Commission to issue an order re-designating William T. Easton as Referee, so this matter may proceed to a hearing pursuant to paragraph 8 of the Stipulation.

Thank you for your professional courtesies throughout this matter.

Kindly confirm your receipt of this letter and acknowledgment of its terms. Email confirmation would suffice.

Very truly yours,



John J. Postel
Deputy Administrator

cc: Jean M. Savanyu
Clerk of the Commission

Enclosures

JJP:klt

Kathryn Trapani

From: David M. Duguay
Sent: Friday, May 15, 2015 10:43 AM
To: John J. Postel
Cc: Kathryn Trapani
Subject: FW: Clark, Michael: Justiceq

David M. Duguay
Senior Attorney
New York State Commission on Judicial Conduct
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From: Mike Santo [mailto:msanto@duffyduffylaw.com]
Sent: Friday, May 15, 2015 10:37 AM
To: David M. Duguay
Subject: Clark, Michael: Justiceq

Commission on Judicial Conduct
David Dugay, Esq, Counsel

David:

I was informed only yesterday from my client that he wishes to “rescind” the agreement that he entered into with the Commission. He would like to proceed to trial on the issues based on his and his wife’s reconsideration of the matter.

I apologize for any disruption that this has caused, but must abide by my client’s wishes and direction. Kindly advise the Commission’s position on this so that we can move forward.

As always, many thanks for your time and consideration.

Best,
Mike Santo
C: Judge Clark

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Michael R Clark
Town Justice
Hastings Town Court

Hastings Town Court
PO Box 5
Central Square, NY 13036

315-676-4317
315-668-8439 fax

05/12/2015

To: Town Board Town of Hastings Att: Town Supervisor Tony Bush

Re: Letter of Resignation

Please vacate and rescind and all prior or future notifications of my resignation. It is my intent to continue as Town Justice and to be a candidate for Town Justice in the 2015 election.

Respectfully:

~~
Michael R. Clark
Town of Hastings Town Justice