

GOP chief set to ask justices for Katz e-mail

Fight over Corzine's privilege continues

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The chairman of New Jersey's Republican Party said yesterday he will ask the state Supreme Court to order the release of e-mail messages exchanged by Gov. Jon Corzine and his ex-girlfriend, Carla Katz, while she was a labor leader.

In the latest volley in the politically charged case, Tom Wilson said he will appeal an appellate court decision that the e-mails do not have to be made public. The appeal will be filed by Feb. 2, said Mark Sheridan, Wilson's attorney.

The high court would then determine whether to take up the case. If the court decided to hear it, the case could stretch deep into the Democratic governor's re-election year.

There is no specific time frame for the court to make its decision, said Winnie Comfort, a spokeswoman for the judiciary. She declined to comment on whether Chief Justice Stuart Rabner, who previously served as Corzine's chief counsel and state attorney general, would recuse himself if the court accepted the case.

The appellate ruling on Jan. 12 reversed a lower-court order for Corzine to release hundreds of pages of correspondence between him, his aides and Katz -- then president of Communications Workers of America Local 1034 -- during a period that included state worker contract talks.

The appeals court found Corzine had properly asserted executive privilege. Releasing the e-mails could "have a chilling effect on the governor's willingness to solicit advice, or to accept unsolicited advice in the future," it said. The judges said Corzine's and Katz's previous comments about the negotiations and their outcome were enough to satisfy the public interest.

Wilson disagreed but said he would forgo an appeal, allowing executive privilege to be upheld, if Corzine voluntarily released the e-mails by yesterday. The governor did not, prompting Wilson to argue, "He's abusing executive privilege to hide actions he knows the

public would find unacceptable."

"People should be able to look at the e-mails and decide for themselves whether Corzine acted in good faith," Wilson said. "For someone who claims he has nothing to hide, Jon Corzine is doing everything he can to hide the facts and the truth from the taxpayers."

Corzine last week defended his decision to keep the e-mails confidential and said he would welcome an appeal to the Supreme Court.

"We think we have the right argument, and then it is a settled question," Corzine told the Star-Ledger editorial board. "And it will be clear that governors can use e-mail without them being public documents, the same way that governors can now use the telephone."

David Wald, a spokesman for the Attorney General's Office, which is handling the case, said the office would respond with court papers after Wilson filed the appeal.

"The court's decision was very clear," Wald said. "The governor's acting to protect his ability to do his job and the ability of future governors to do their jobs."

Katz and Corzine dated for two years before Corzine ran for governor. The relationship, which ended with Corzine giving Katz millions of dollars in gifts, remains a persistent political problem. A Monmouth University poll released last week showed six in 10 voters want Corzine to release the e-mails, and nearly a third said they'd be less likely to vote for him if he does not.