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BY E-MAIL & PRIORITY MAIL

July 15, 2019

TO: Governor Andrew M. Cuomo & Lieutenant Governor Kathy Hochul
Attorney General Letitia James
Temporary Senate President Andrea Stewart-Cousins & the Other 62 Senate Members
Assembly Speaker Carl Heastie & the Other 149 Assembly Members

RE: NOTICE of Your Duty to Void the December 10, 2018 Report of the Committee on Legislative and Executive Compensation that Boosted Your Salaries

This is to give you NOTICE of what you should already know: that the December 10, 2018 Report of the Committee on Legislative and Executive Compensation that has boosted your salaries is a fraud upon the People of the State of New York – and a larceny of their tax dollars. This is obvious from comparing the Report to the enabling statute on which it purports to be based and from my opposition testimony at the Committee's November 30, 2018 public hearing, immediately following that of Assembly Speaker Heastie.

To assist you in belatedly discharging your oversight responsibilities so as to protect the People you were elected to serve, here transmitted is an analysis of the December 10, 2018 Report. Based thereon, your duty is:

- (1) to void the December 10, 2018 Report because it is fraudulent, statutorily-violative, and unconstitutional;
- (2) to return, to the public fisc, the salary increases disbursed since January 1, 2019 as a result of the December 10, 2018 Report;
- (3) to refer the Compensation Committee members and their *pro bono* counsel for criminal prosecution – and for the Attorney General to herself bring such prosecution – based on penal law violations including: Penal Law §175.35: “offering a false instrument for filing in the first degree”; Penal Law §195.20: “defrauding the government”; Penal §190.65: “scheme to defraud in the first degree”; and Penal Law §496.05; §496.06: “PUBLIC TRUST ACT: “corrupting the government in the first degree”; “public corruption”.

Should you disagree as to your duty, back it up by rebutting the specifics of the analysis – and do so as immediately as possible and no later than August 15, 2019. Thank you.

