From:	Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org></elena@judgewatch.org>
Sent:	Tuesday, July 2, 2019 9:29 AM
To:	'records.access@exec.ny.gov'; 'Senate Foil'; 'Robin Marilla'; 'skerby@nycourts.gov'
Subject:	FOIL/records request: Compensation Commissions & their websites
Attachments:	chapter567-laws-of-2010.pdf; chapter60-part-e-laws-of-2015.pdf

TO: FOIL/Records Access Officers of the Governor, Senate, Assembly, and Chief Judge Executive Chamber Record Access Officer Valerie Lubanko Senate Records Access Officer/Secretary of the Senate Alejandra Paulino Assembly Records Access Officer Robin Marilla Office of Court Administration Records Access Officer Shawn Kerby

Pursuant to Public Officers Law Article VI [Freedom of Information Law (F.O.I.L.)], Senate Rule XIV ["Freedom of Information"], Assembly Rule VIII ["Public Access to Records"], and §124 of the Chief Administrator's Rules ["Public Access to Records"], this is to request access to all publicly-available records of:

- the Commission on Judicial Compensation, established by Chapter 567 of the Laws of 2010; and
- the Commission on Legislative, Judicial and Executive Compensation, established by Chapter 60, Part E, of the Laws of 2015.

For your convenience, each statute is attached. Their reports, which have cost taxpayers hundreds of millions of dollars in statutorily-violative, fraudulent, and unconstitutional salary increases and salary-related benefits to judges (and to district attorneys by reason of Judiciary Law §183-a), are dated August 29, 2011 and December 24, 2015.

Additionally, please restore to functionality the Commission on Judicial Compensation's website, <u>www.judicialcompensation.ny.gov</u>, as it has ceased to be accessible, including *via* the sidebar panel "Prior Salary Commission" of the Commission on Legislative, Judicial and Executive Compensation's website: <u>http://nyscommissiononcompensation.org/index.shtml</u>.

Pursuant to Public Officers Law §89.3, your response is required "within five business days" of receipt of this request. I would appreciate if you e-mailed it to me at <u>elena@judgewatch.org</u>.

Thank you.

Elena Sassower, Director Center for Judicial Accountability, Inc. (CJA) <u>www.judgewatch.org</u> 914-421-1200

From:Shawn Kerby <skerby@nycourts.gov>Sent:Tuesday, July 2, 2019 10:22 AMTo:Center for Judicial Accountability, Inc. (CJA)Subject:RE: FOIL/records request: Compensation Commissions -- & their websites

Dear Ms. Sassower:

We will process the request and expect to respond within 20 business days.

Very truly yours, Shawn Kerby Assistant Deputy Counsel

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, July 2, 2019 9:29 AM
To: records.access@exec.ny.gov; 'Senate Foil' <foil@nysenate.gov>; 'Robin Marilla' <marillar@nyassembly.gov>; Shawn
Kerby <skerby@nycourts.gov>
Subject: FOIL/records request: Compensation Commissions -- & their websites

TO: <u>FOIL/Records Access Officers of the Governor, Senate, Assembly, and Chief Judge</u> Executive Chamber Record Access Officer Valerie Lubanko Senate Records Access Officer/Secretary of the Senate Alejandra Paulino Assembly Records Access Officer Robin Marilla Office of Court Administration Records Access Officer Shawn Kerby

Pursuant to Public Officers Law Article VI [Freedom of Information Law (F.O.I.L.)], Senate Rule XIV ["Freedom of Information"], Assembly Rule VIII ["Public Access to Records"], and §124 of the Chief Administrator's Rules ["Public Access to Records"], this is to request access to all publicly-available records of:

- the Commission on Judicial Compensation, established by Chapter 567 of the Laws of 2010; and
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For your convenience, each statute is attached. Their reports, which have cost taxpayers hundreds of millions of dollars in statutorily-violative, fraudulent, and unconstitutional salary increases and salary-related benefits to judges (and to district attorneys by reason of Judiciary Law §183-a), are dated August 29, 2011 and December 24, 2015.

Additionally, please restore to functionality the Commission on Judicial Compensation's website, <u>www.judicialcompensation.ny.gov</u>, as it has ceased to be accessible, including *via* the sidebar panel "Prior Salary Commission" of the Commission on Legislative, Judicial and Executive Compensation's website: <u>http://nyscommissiononcompensation.org/index.shtml</u>.

Pursuant to Public Officers Law §89.3, your response is required "within five business days" of receipt of this request. I would appreciate if you e-mailed it to me at <u>elena@judgewatch.org</u>.

Thank you.

From:	Senate Foil <foil@nysenate.gov></foil@nysenate.gov>
Sent:	Thursday, July 11, 2019 12:06 PM
То:	Center for Judicial Accountability, Inc.(CJA)
Subject:	Re: FOIL/records request: Compensation Commissions & their websites
Attachments:	chapter567-laws-of-2010.pdf; chapter60-part-e-laws-of-2015.pdf; Rules and
	Regulations relating to Public Inspection and Copying of Legislative Records - January 2019_blue.pdf

July 11, 2019

Ms. Elena Ruth Sassower, Director Center for Judicial Accountability, Inc. P.O. Box 8101 White Plains, NY 10602 www.judgewatch.org

Dear Ms. Sassower:

This is to acknowledge receipt of your email dated July 2, 2019 pursuant to the Freedom of Information Law.

You are requesting "all publicly available records of the Commission on Judicial Compensation, established by Chapter 567 of the Laws of 2010; and

"the Commission on Legislative, Judicial and Executive Compensation, established by Chapter 60, Part E, of the Laws of 2015"

Please be advised the report requested "the Commission on Legislative, Judicial and Executive Compensation, established by Chapter 60, Part E, of the Laws of 2015", is available on the commission's website. Below please see a link pursuant to your request that we were able to locate. <u>www.nyscommissioncompensation.org</u>.

If you would like copies made of either when we receive a check in the amount of \$3.75 (15 pages @ \$.25 per page) or \$4.25 (17 pages @\$.25) or; \$8.00 (32 pages total @ \$.25 per page) made payable to the New York State Senate, we will forward the material.

I have attached a copy of the Senate's Rules and Regulations Relating to the Public Inspection and Copying of Legislative Records for your information.

Sincerely,

Alejandra N. Paulino, Esq. Secretary of the Senate



July 10, 2019

Via Email: <u>mail@judicialwatch.org</u> Elena Sassower Center for Judicial Accountability, Inc. P.O. Box 8101 White Plains, New York 10602

FOIL Request: #2539

Dear Ms. Sassower:

The Executive Chamber acknowledges receipt of your FOIL request dated July 2, 2019, seeking:

access to all publicly-available records of:

• the Commission on Judicial Compensation, established by Chapter 567 of the Laws of 2010; and

• the Commission on Legislative, Judicial and Executive Compensation, established by Chapter 60, Part E, of the Laws of 2015.

For your convenience, each statute is attached. Their reports, which have cost taxpayers hundreds of millions of dollars in statutorily-violative, fraudulent, and unconstitutional salary increases and salary-related benefits to judges (and to district attorneys by reason of Judiciary Law §183-a), are dated August 29, 2011 and December 24, 2015.

Additionally, please restore to functionality the Commission on Judicial Compensation's website, www.judicialcompensation.ny.gov, as it has ceased to be accessible, including via the sidebar panel "Prior Salary Commission" of the Commission on Legislative, Judicial and Executive Compensation's website: http://nyscommissiononcompensation.org/index.shtml.

We are conducting a search for records that respond to your request and, if applicable, will review them for appropriate exemptions under FOIL. We will provide you with a status update on or before August 8, 2019.

If any documents are located that respond to your request, you will be charged \$.25 per page for photocopies. If the response to your request will be provided in another media, we will notify you of any charges.

Very truly yours,

aler Dai 10

Valerie Lubanko FOIL Counsel Records Access Officer

From:Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>Sent:Wednesday, July 10, 2019 5:27 PMTo:'records.access@exec.ny.gov'Subject:Correction Requested -- FOIL RequestAttachments:Sassower (#2539) - Letter - 7.10.19.pdf

Dear Ms. Corellis --

Please note that your attached July 10th acknowledgment contains an error. We are NOT @judicialwatch.org. We are @judgewatch.org. My direct e-mail is: <u>elena@judgewatch.org</u>, which I prefer you to use, rather than the generic <u>mail@judgewatch.org</u>

Kindly correct on future correspondence.

Thank you.

Elena Sassower 914-421-1200

From: Records _Access <Records._Access@exec.ny.gov> Sent: Wednesday, July 10, 2019 5:01 PM To: 'elena@judgewatch.org' <elena@judgewatch.org> Subject: FOIL Request

Dear Ms. Sassower,

Please see the attached correspondence in relation to your Freedom of Information Law ("FOIL") request.

Regards,

Suzi Corellis Assistant to the Records Officer



August 9, 2019

Via Email: <u>elena@judgewatch.org</u> Elena Sassower Center for Judicial Accountability, Inc. P.O. Box 8101 White Plains, New York 10602

FOIL Request: #2539

Dear Elena Sassower:

This letter responds to your correspondence dated July 2, 2019, which pursuant to FOIL, requested:

access to all publicly-available records of:

• the Commission on Judicial Compensation, established by Chapter 567 of the Laws of 2010; and

• the Commission on Legislative, Judicial and Executive Compensation, established by Chapter 60, Part E, of the Laws of 2015.

For your convenience, each statute is attached. Their reports, which have cost taxpayers hundreds of millions of dollars in statutorily-violative, fraudulent, and unconstitutional salary increases and salary-related benefits to judges (and to district attorneys by reason of Judiciary Law §183-a), are dated August 29, 2011 and December 24, 2015.

Additionally, please restore to functionality the Commission on Judicial Compensation's website, www.judicialcompensation.ny.gov, as it has ceased to be accessible, including via the sidebar panel "Prior Salary Commission" of the Commission on Legislative, Judicial and Executive Compensation's website: http://nyscommissiononcompensation.org/index.shtml.

To the extent that your request is reasonably described, the New York State Executive Chamber (Executive Chamber) has conducted a diligent search and found records responsive to the portion of your request seeking "all publically available records" for the Commission on Legislative, Judicial and Executive Compensation, established by Chapter 60, Part E, of the Laws of 2015. Records responsive to this portion of your request is attached to the email transmitting this letter. Please be advised that portions of the records that respond to your request are exempt from disclosure pursuant to Public Officers Law § 87(2)(b) because they "constitute an unwarranted invasion of personal privacy...."

The Commission on Judicial Compensation, established by Chapter 567 of the Laws of 2010, was established before Governor Cuomo took office. Accordingly, the Executive Chamber does not possess any records responsive to this portion of your request.

Finally, the Executive Chamber does not maintain the website referenced in your request.

Pursuant to Public Officers Law § 89(4)(a), you have thirty (30) days to take a written appeal of this determination. You may appeal by writing: FOIL Appeals Officer, Executive Chamber, State Capitol, Albany, New York, 12224.

Very truly yours,

00,

Valerie Lubanko FOIL Counsel Records Access Officer



STATE OF NEW YORK **EXECUTIVE CHAMBER** ALBANY 12224

ANDREW M. CUOMO GOVERNOR

October 28, 2015

Honorable John J. Flanagan Temporary President and Majority Leader New York State Senate Legislative Office Building, Room 805 Albany, NY 12247

Honorable Carl E. Heastie New York State Assembly Legislative Office Building, Room 932 Albany, NY 12248

Honorable Jonathan Lippman Chief Judge of the State of New York New York State Court of Appeals 20 Eagle Street Albany, NY 12207

Dear Senator Flanagan, Speaker Heastie, and Chief Judge Lippman:

Please be advised that pursuant to Part E of Chapter 60 of the Laws of 2015, I am hereby appointing Mitra Hormozi, Gary Johnson, and Fran Reiter, to the Commission on Legislative, Judicial and Executive Compensation.

These individuals have extensive experience in determining executive compensation, human resource administration, and financial management. I have every confidence that Ms. Hormozi, Mr. Johnson, and Ms. Reiter are well-equipped to accomplish this commission's important mission. Copies of their resumes are enclosed.

Very truly yours.

Andrew M. Cuomo

WE WORK FOR THE PEOPLE PERFORMANCE * INTEGRITY * PRIDE

C printed on recycled paper

Apr. 2015 - present

Feb. 2013 - Mar. 2015

Sep. 2011 - Feb. 2013

EVP, General Counsel & Chief Compliance Officer Oversee Global Legal Department and responsible for all legal matters including Corporate Securities, Mergers & Acquisitions, Patents, Trademarks & Copyrights, Employee Litigation, Compliance, etc. Member of the Global Leadership Team reporting directly to the CEO.

ZUCKERMAN SPAEDER

Partner

REVLON

Represent corporations and individuals in connection with investigations conducted by the U.S. Department of Justice, NY State Dept. of Financial Services, NY State Attorney General and Manhattan District Attorney's Office.

KIRKLAND AND ELLIS

Partner

Member of the firm's White Collar & Regulatory Defense practice group. Represented individuals and corporations in connection with investigations and prosecutions conducted by the U.S. Department of Justice, the Federal Trade Commission and States Attorneys General. Appointed as Special Master in DOJ litigation against New York City Fire Department over discriminatory hiring practices.

JOINT COMMISSION ON PUBLIC ETHICS

formerly NEW YORK STATE COMMISSION ON PUBLIC INTEGRITY Commissioner (Appointment by Governor Cuomo)

Chaired New York State Commission on Public Integrity from January 2011 until November 2011 when New York State passed a law creating the Joint Commission on Public Ethics. As Chair, oversaw staff of forty-seven employees. Commission's mandate is the governance and compliance of Public Officer laws by the Legislative and Executive branches of New York state government as well as the oversight of the registration of all lobbying activities and enforcement of applicable laws.

NEW YORK STATE OFFICE OF THE ATTORNEY GENERAL, Andrew M. Cuomo Executive Division Mar. 2008 - Jan. 2011

Special Deputy Chief of Staff for Litigation

Responsible for overseeing high priority civil and criminal cases involving public corruption, charities violations, false claims act violations and fraud. Worked directly with Attorney General. Supervised assistant attorney generals throughout regional offices on all affirmative cases. Interacted and coordinated with other state agencies on various inter-governmental initiatives.

UNITED STATES ATTORNEY'S OFFICE, Eastern District of N.Y. Criminal Division

Chief, Organized Crime and Racketeering Section 2007-2008

Deputy Chief, Organized Crime and Racketeering Section 2006-2007

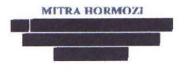
Lead counsel on complex investigations and prosecutions involving wide array of crimes, including money laundering, racketeering, obstruction of justice, mail fraud, wire fraud and tax evasion. Supervised activities of junior prosecutors, and teams of federal, state and local law enforcement personnel. Successfully prosecuted several high profile cases including the boss of one of the five New York mafia families and the "Mafia Cops" case. Briefed and successfully argued appeals before Second Circuit Court of Appeals, including appeal in Mafia Cops case.

KRONISH LIEB WEINER & HELLMAN LLP, New York, N.Y (now known as Cooley Godward) Litization Associate Sep. 1999. – Oct. 2001

Litigation Associate Sep. 1999. – Oct. 2001 Engaged in all aspects of civil and criminal litigation including answering complaints, drafting briefs, defending depositions, attending proffers and assisting in all phases of trial preparation. Part of trial team in criminal antitrust case.

Unassigned.0.0

EXPERIENCE

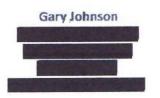


Jan. 2011 - Aug. 2011

Oct. 2001 - Mar. 2008

STRANG HAYES CONSULTING, INC., New York, N.Y. Vice President of Investigations Organized and managed all aspects of domestic and international corporate due diligence	May 1998 - Sep. 1999 investigations, including
discovery and review of criminal and civil litigation, regulatory and bankruptcy filings.	
UNITED STATES DEPARTMENT OF TREASURY, New York, N.Y. Office of International Trade Litigation Staff Attorney	Sep. 1996 – May 1988
UNITED STATES DEPARTMENT OF COMMERCE, Washington, D.C. Honors Program Honors Attorney	Aug. 1995 - Aug. 1996
EDUCATION	
NEW YORK UNIVERSITY, SCHOOL OF LAW, New York, N.Y. J.D. May 1995, member of New York State Bar Journal of International Law & Politics, Staff Editor	

UNIVERSITY OF MICHIGAN, Ann Arbor, MI Honors College B.A. in History, with distinction, May 1991



Executive Legal Counsel Medgar Evers College, Brooklyn

2013-present

1991-1994

General counsel to the college. Provides legal advice to the President and staff regarding issues of law and governance. Assists university counsel in litigation.

Director	
New York State Governor's Office of Employee Relations	2007-2013
CEO of the state agency that negotiates and administers collect agreements with the state employee unions.	ive bargaining
Associate Counsel	
New York State United Teachers	2004-2007
Represented teachers and other professionals and support pers and private sector disciplinary proceedings, and state litigation.	
Associate Counsel and Director of Litigation	
New York State Public Employment Relations Board	1994-2004
Litigation counsel for the state agency that mediates public sect disputes and adjudicates improper practice charges. Directed o defends Board decisions, enforces Board orders, and prosecutes	ffice that
Administrative Law Judge	
New York State Public Service Commission	1994

Administrative Law Judge New York State Public Employment Relations Board

Adjudicated public sector improper practice charges and administered bargaining unit representation proceedings.

Associate Counsel New York State Office of Court Administration

Represented state court system in all phases of state litigation, including appeals.

Assistant Counsel Governor's Office of Employee Relations

1988-1991

Litigated improper practice charges and representation petitions before the Public Employment Relations Board, Represented state agencies in contract grievance arbitrations. Represented the State of New York in collective bargaining.

Assistant District Attorney Office of the District Attorney, Kings County

1985-1988

Tried felony narcotics cases. Investigated homicide and sex crimes arrests. Supervised assistant district attorneys in central booking complaint room.

Student Legal Intern

Office of the Corporation Counsel, City of New York

1981-1985

Represented City in examinations before trial and conferenced City calendar in personal injury cases in Supreme Court, New York County. Drafted memorandums of law and pleadings, and discovery demands and responses.

Teacher Various New York City Catholic High Schools

1974-1981

Education

Fordham University School of Law Juris Doctor, 1985

Fordham University, College at Lincoln Center Bachelor of Arts in Religious Studies, summa cum laude, 1973 1991

Publications

Contributing Editor, Public Sector Labor Law (3rd ed., revised 2013), New York State Bar Association

"Recent Taylor Law Developments," New York State Bar Association, Labor and Employment Section Newsletter, Vol. 28, No. 4 (Winter 2003)

Co-Editor-in-Chief, Public Sector Labor Law (2nd ed.), 2002 Supplement, New York State Bar Association

"Recent Taylor Law Developments," New York State Bar Association, Labor and Employment Section Newsletter, Vol. 27, No. 4 (Winter 2002)

"Recent Taylor Law Developments," New York State Bar Association, Labor and Employment Section Newsletter, Vol. 26, No. 3 (Fall/Winter 2001)

"Lessons of Disintegrating Settlements," PERB News, June 2000

Contributor, Public Sector Labor Law (2nd ed., 1998), New York State Bar Association

Boards and Committees

Member, Independent Judicial Qualification Commission, 3d Department, 3d Judicial District, 2007 to 2012

Member, New York State Continuing Legal Education Board, 2001 to 2006

Member, Advisory Board, the Government Law Center, Albany Law School, 2003 to 2013

Member, Board and Executive Committee, Unity House, Troy, NY, 2004 to 2011

Admitted to Practice

New York State, U.S. District Court (Southern, Eastern, Western, and Northern Districts of N.Y.), Second Circuit Court of Appeals, U.S. Supreme Court



Professional Experience

The Reiter Giuliani Group, LLC (d/b/a RG Group) / Partner (1/11 - 10/12 & 9/14 - present)

Consultant providing government relations, lobbying, marketing and non-profit management services to an array of businesses and non-profit organizations doing or seeking to do business with New York City and/or New York State government.

State of New York, Executive Chamber / Executive Deputy Director for State Operations (11/12 – 8/14)

Oversaw day-to-day operations of all state agencies and led Governor Cuomo's major enterprisewide consolidation and IT initiatives.

Reiter/Begun Associates, LLC / Managing Partner (3/02 - 12/10)

Consultant providing government relations, lobbying, marketing and non-profit management services to an array of businesses and non-profit organizations doing or seeking to do business with New York City and/or New York State government.

New York Shakespeare Festival/Joseph Papp Public Theatre / Executive Director (11/00-10/01)

Responsible for finance, development, marketing, fundraising, board relations and development, and capital projects for this leading New York cultural institution, overseeing an annual \$13 million operating budget and \$50 million capital plan.

NYC & Company (formerly the NY Convention & Visitors Bureau) / President & CEO (1/98 - 9/99)

Led a major expansion of this hospitality industry non-profit member organization, including increasing its annual operating budget from \$7.5 million to \$13.8 million in less than two years and expanding its mission to include the attraction and/or development and marketing of major sports, entertainment and cultural events to be held in New York City.

Friends of Rudy Giuliani / Campaign Manager (3/97 - 11/97)

Oversaw all aspects of NYC Mayor Rudolph Giuliani's successful 1997 re-election campaign.

City of New York, Office of the Mayor / Deputy Mayor for Economic Development and Planning & Deputy Mayor for Planning and Community Relations (1/95 – 3/97)

Oversaw NYC agencies and offices for economic and industrial development, planning, housing, parks, cultural affairs, public libraries, landmark preservation, immigrant and veterans' affairs, and community relations. Accomplishments include: authored and implemented the Lower Manhattan Revitalization Plan; chaired Mayor's Manufacturing Task Force; led successful effort to create and pass into law citywide adult use rezoning; led City's negotiations with NYS to determine the governing structure of the NYC Empowerment Zone and served as its first chairman; developed Crown Heights Mediation Center; led City's effort to assist not-for-profit supportive housing developers; oversaw the restructuring of the Division of AIDS Services; and working with NYPD, implemented NYC's Abortion Clinic Access Law.

Additional Professional Experience

Baruch College, CUNY - School of Public Affairs / Adjunct Professor (summer 2000 - fall 2003)

Developed new syllabus and taught graduate course PAF 9132 - Governing New York City and cotaught with Professor Douglas Muzzio PAF 9100 -- Introduction to Public Affairs.

New York University School of Continuing Education and Professional Studies – Center for Hospitality, Tourism and Travel Administration / Adjunct Professor (fall 1999 semester)

Developed and co-taught graduate course, Management of Non-Profit Organizations.

Mayor-Elect Giuliani's Transition Committee / Executive Director (11/93 - 12/93)

Friends of Rudy Giuliani / Deputy Campaign Manager for Operations (8/93 - 11/93)

Fran Reiter Communications / President (11/88 - 7/93)

Management and marketing consultant to independent program syndication firms and producers.

Television Program Syndication Executive (1978 – 11/88)

Served in senior management positions for a number of television program syndication firms including: Syndicast Services, Inc. and TEN, The Entertainment Network (Senior Vice President, General Sales Manager); Orbis Communications, Inc. and MG/Perin, Inc. (Vice President, Sales Manager).

Prior to 1978

Served in various production capacities in film, television and theater production.

Political Candidacies / Political Party Positions

Friends of Fran Reiter 2001 (4/99 - 2/00)

Organized and developed a political committee to explore a NYC mayoral candidacy for the 2001 election.

Reiter for Congress (1990)

Democratic and Liberal candidate for the U.S. House of Representatives from New York's former 15th Congressional District.

Liberal Party of New York State

Served as State Chairman (1990 – 1993) and Co-Chair, Liberal Party of New York County (1986 – 1990).

Former Board Memberships / Civic Activities

Member, Board of Directors: Housing and Services, Inc.; NARAL/NY; American Jewish Committee/NY Chapter; Jewish Community Relations Council of NYC; Gay Men's Health Crisis; A.R.T./New York; The New York Pops.

Member, Board of Advisors: NYC Inner City Games; The Weissman Center for International Business/Baruch College.

Member, Board of Trustees: New York Public Library (Mayor's representative).

Education

Graduate, CUNY Baccalaureate for Unique and Interdisciplinary Studies / Baruch College; Awarded B.S. in Public Affairs, cum laude (May 2015)

Attended Boston University, School of Fine Arts / Theater Department (9/72-5/74)

Graduate, Fiorello H. LaGuardia School of Music and the Arts / High School of Performing Arts Division / Drama major (1972)

References furnished upon request.