



STATE OF NEW YORK
UNIFIED COURT SYSTEM
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NEW YORK, NEW YORK 10004
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ANN PFAU
Chief Administrative Judge

JOHN W. McCONNELL
Counsel

July 22, 2011

Elena Ruth Sassower, Director
Center for Judicial Accountability, Inc.
P.O. Box 3002
Southampton, New York 11969

Dear Ms. Sassower:

In response to your recent Freedom of Information Law ("FOIL") request regarding a particular judicial compensation filing, there are documents available, free of charge, at the following link: http://www.nycourts.gov/judges/compensation_suit.shtml.

If you wish to obtain access to additional court records pertaining to that case, which are not subject to disclosure under FOIL (see Public Officers Law § 86(3)), you should follow the process pursuant to section 255 of the Judiciary Law, of contacting the clerk of the court where the case was handled to request copies of specific records, or to request an appointment to inspect the responsive publicly-available records. The process of submitting a section 255 request for requesting court records is explained in detail on our website at the link: <http://www.nycourts.gov/foil/>.

To the extent that you request access to the records underlying the court matter that are in the possession of this Office, please be advised that such records are privileged, constitute work-product, and are not otherwise subject to disclosure under FOIL. See e.g. Public Officers Law §§ 87(2)(a) (exempted by statute); 87(2)(g) (non-final, non-factual, intra-agency records); CPLR 3101(b) (privilege).

Very truly yours,

A handwritten signature in black ink, appearing to read "S Kerby".

Shawn Kerby
Assistant Deputy Counsel