

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, October 19, 2023 10:54 AM
To: 'FOIL'
Cc: 'NYS Salary Commission'

Subject: **Oct 10, 2023 FOIL: Chief Judge Wilson's Appointments of former Court of Appeals Associate Judge Fahey & Attorney Blank to the Commission on Legislative, Judicial & Executive Compensation, Etc.**

[TO: OCA FOIL Officer/Assistant Deputy Counsel Brielle Christian](#)

Your below October 17th response to my October 10th FOIL requests #1 and #2 is misleading. With respect to these requests, I am not asking you for “records of other state agencies”, but of OCA and/or Court of Appeals records, which you do maintain. Please, therefore, furnish

(1) Chief Judge Rowan Wilson’s commissions/writings appointing former Court of Appeals Associate Judge Eugene Fahey and Helene Blank, Esq. to the Commission on Legislative, Judicial and Executive Compensation and records of filings thereof with the Secretary of State, required by [Public Officers Law §8](#); and

(2) the oaths of office executed by former Court of Appeals Associate Judge Fahey and Attorney Blank and records of their filings thereof with the Secretary of the State, required by [Public Officers Law §10](#).

I note you have also not advised me of my FOIL appeal rights. Is that an oversight?

Also, is it an oversight that you are not identifying yourself on my FOIL requests – or is it an attempt to conceal your conflicts of interest, arising from [your prior positions, including as counsel to Senate Judiciary Committee Chair John Bonacic from January 2017 to January 2019, which is where we directly interfaced on the underlying issues](#)? Please advise.

Thank you.

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

From: FOIL <FOIL@nycourts.gov>
Sent: Tuesday, October 17, 2023 4:57 PM
To: elena@judgewatch.org

Subject: RE: FOIL: Appointments & Oaths of Office of the 7 Commissioners of the Commission on Legislative, Judicial & Executive Compensation, as Required by Public Officers Law §8 & §10, & Website & Other Info

This is in response to your FOIL request dated 10/10/23, seeking:

- (1) the commissions/writings appointing the commissioners and the filings thereof with the Secretary of State, required by [Public Officers Law §8](#);
- (2) the oaths of office taken by the commissioners – and the filings thereof with the Secretary of State, required by [Public Officers Law 10](#);
- (3) records of public announcements of the commissioner appointments, including on your websites and by notifications to the press;
- (4) records reflecting why the Commission on Legislative, Judicial and Executive Compensation has a non-governmental **.org** website, *to wit*, www.nyscommissiononcompensation.org, and a non-governmental **gmail.com** e-mail address, *to wit*, nyscompensation@gmail.com.

In response to requests 1 and 2, please be advised that the we do not maintain records of other state agencies and are not the custodian of the records requested. You may wish to submit a request to the Secretary of State, which may possess such records.

In response to requests 3 and 4, a diligent search of available records has been conducted and has not located any records responsive to your request.

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, October 10, 2023 11:37 AM
To: records.access@exec.ny.gov; FOIL <FOIL@nycourts.gov>; foil@nysenate.gov;
publicinfo@nyassembly.gov; nyscompensation@gmail.com

Subject: FOIL: Appointments & Oaths of Office of the 7 Commissioners of the Commission on Legislative, Judicial & Executive Compensation, as Required by Public Officers Law §8 & §10, & Website & Other Info

TO: Governor Hochul, Chief Judge Wilson, Temporary Senate President Stewart-Cousins & Assembly Speaker Heastie -- & Commission on Legislative, Judicial & Executive Compensation

I am unable to find, on your websites, or by google search, any announcements of the appointments of the seven commissioners of the Commission on Legislative, Judicial and Executive Compensation, which, pursuant to budget statute [Part E, Chapter 60 of the Laws of 2015 \(§2.1\)](#), was required to have been established by June 1st.

Pursuant to FOIL (Public Officers Law, Article VI), §124 of the Chief Administrator's Rules, Senate Rule XIV, and Assembly Rule VIII, this is to request:

- (1) the commissions/writings appointing the commissioners and the filings thereof with the Secretary of State, required by [Public Officers Law §8](#);

- (2) the oaths of office taken by the commissioners – and the filings thereof with the Secretary of State, required by [Public Officers Law 10](#);
- (3) records of public announcements of the commissioner appointments, including on your websites and by notifications to the press;
- (4) records reflecting why the Commission on Legislative, Judicial and Executive Compensation has a non-governmental **.org** website, *to wit*, www.nyscommissiononcompensation.org, and a non-governmental **gmail.com** e-mail address, *to wit*, nyscompensation@gmail.com.

Pursuant to Public Officers Law §89.3, your responses are required “within five business days” of receipt of this request.

Thank you.

Elena Sassower, Director
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