



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
ATTORNEY GENERAL

AMY C. KARP
Records Access Officer
Assistant Counsel

October 28, 2008

Ms. Elena Ruth Sassower
16 Lake Street, Apt. 2C
White Plains, NY 10603

RE: Freedom of Information Law (FOIL) #08991

Dear Ms. Sassower:

This letter responds to your correspondence dated September 26, 2008, which, pursuant to the New York Freedom of Information Law ("FOIL"), requested:


"[R]E: McFadden v. Doris L. Sassower & Elena Sassower
White Plains City Court #SP-651/89 ("SP-2008-1474")
Appellate Term #1427 WC

All publicly-available records pertaining to the Attorney General's representation of White Plains City Court Chief Clerk Patricia Lupi in the above entitled proceeding, wherein she is NOT a party. Specifically: (1) a copy of any written request that Chief Clerk Lupi made for such representation; and (2) the Attorney General's approval thereof."

Enclosed is document numbered 08991-1 which respond to your request.

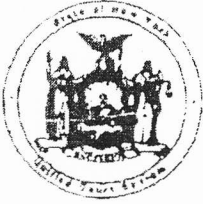
This FOIL request is now closed.

Sincerely,


Amy C. Karp
Assistant Counsel

Enclosures

EX P-1



THE CITY OF WHITE PLAINS
CITY COURT

77 SOUTH LEXINGTON AVENUE
WHITE PLAINS, NY 10601
914-824-5675
FAX 914-422-6058

HON. FRANCIS NICOLAI
ADMINISTRATIVE JUDGE

JO ANN FRIIA
CITY JUDGE

BARBARA A. LEAK
CITY JUDGE

BRIAN HANSBURY
CITY JUDGE

ERIC PRESS
CITY JUDGE

PATRICIA LUPI
CHIEF CLERK

LYNN WARD
DEPUTY CHIEF CLERK

September 24, 2008

Judith McCarthy, Esq.
New York State Attorney General's Office
Westchester Regional Office

Dear Ms. McCarthy,

Enclosed with this correspondence is a motion filed with the City Court of White Plains on September 19, 2008 in connection with *McFadden v. Sassower*, SP651/89 and SP1474/08. Although denominated a "Notice of Motion," the relief sought therein is injunctive under Article 78 of the Civil Practice Law and Rules and asks, among other things, that I be compelled to produce certain items in connection with a pending appeal of the above-referenced proceeding.

I am the Chief Clerk of the City Court of White Plains and request your Office to represent me in this matter. Earlier today, I personally appeared at the front window of your Office and attempted to file the within papers. I was advised by Rachel Zaffran to write this letter and fax same, together with the subject court papers, to your attention. Although not an attorney, it is my understanding that the City Court of White Plains, as a court of limited subject matter jurisdiction, is without authority to entertain the type of relief requested in Ms. Sassower's papers.

Thank you for your prompt attention in this matter and please feel free to contact me at the above telephone number if I can be of any assistance.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Lupi".

Patricia Lupi
Chief Clerk