



State of New York
Supreme Court, Appellate Division
Third Judicial Department
P.O. Box 7288, Capitol Station
Albany, NY 12224-0288

Robert D. Mayberger
Clerk of the Court

(518) 471-4777
fax (518) 471-4750
<http://www.nycourts.gov/ad3>

Sean M. Morton
Deputy Clerk

November 16, 2018

****VIA EMAIL & REGULAR MAIL****

Elena Sassower
10 Stewart Place, Apt. 2D-E
White Plains, NY 10603
elena@judgewatch.org

Re: Request Pursuant to FOIL Concerning November 13, 2018 Oral Argument

Ms. Sassower:

This will acknowledge receipt of your email dated November 14, 2018 requesting a copy of the video of the oral argument held before the Court on November 13, 2018.

As you are aware, Judiciary Law § 255 permits a court clerk to charge the "fees at the rate allowed to a county clerk" as a precondition to the provision of court records. Pursuant to CPLR 8019 (f) (5), this Office is therefore entitled to the actual cost of reproducing the record in accordance with Public Officers Law § 87 (1) (c). Accordingly, please remit payment to this Office, payable to the State of New York, according to the following schedule:

- (1) The hourly salary attributed to the lowest paid Court employee who has the necessary skill required to prepare a copy of the requested record = \$23.59
 - (2) The actual cost of the storage devices or media – 16GB USB Flash Drive – provided to the person making the request in complying with such request = \$8.99
- TOTAL = \$32.58**

Please direct any further inquiries or requests to my attention.

Very truly yours,

Sean M. Morton, Esq.
Deputy Clerk of the Court

509-2