



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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March 12, 2015

via e-mail: elena@judgewatch.org
Ms. Elena Sassower
Center for Judicial Accountability, Inc.
P.O. Box 8101
White Plains, NY 10602

RE: Freedom of Information Law (FOIL) Request # 140715

Dear Ms. Sassower:

This letter responds to your correspondence dated December 17, 2014, which, pursuant to FOIL, requested the following:

“[R]e: Contract for outside counsel to represent JCOPE in the Article 78 Proceeding Trump v. JCOPE (Albany Co. #4134/14)

Enclosed is Capital New York’s December 16, 2014 article ‘JCOPE hires retired judge to fight Trump suit’, by Jimmy Vielkind.

Request is made for all publicly-available records pertaining to the contract retaining the law firm Carter, Conboy, Case, Blackmore, Maloney, & Laird, P.C. &/or David R. Homer, Esq. to represent the Joint Commission on Public Ethics (JCOPE) in the Article 78 proceeding: Trump v. JCOPE (Albany Co. #4134/14). This includes all publicly-available records pertaining to the Attorney General’s determination not to represent JCOPE - and JCOPE’s determination not to represent itself.

Pursuant to Public Officers Law § 89.3, your response is required ‘within five business days’ of your receipt of this request. Please e-mail it to me at elena@judgewatch.org.”

Please be advised that the Office of the Attorney General has conducted a diligent search for the records that you have requested. Attached to this e-mail is document number 140715-1

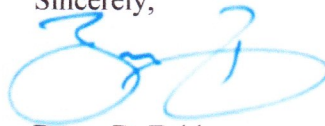
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that responds to your request.

Please be advised that, under Public Officers Law, § 87(2)(a), records that are exempted from disclosure by state or federal statute are exempt from disclosure under FOIL. The only other record disclosed by our search that is responsive to your request has been withheld pursuant to Public Officers Law, § 87(2)(a) because it constitutes attorney work product, which is exempt from disclosure under Civil Practice Law and Rules, § 3101(c), and also pursuant to Public Officers Law, § 87(2)(g), because it is an intra-agency record.

You have a right to appeal the foregoing decision. If you should elect to file such an appeal, your written appeal must be submitted no later than 30 days after your receipt of this letter to Kathryn Sheingold, Records Appeals Officer, State of New York, Office of the Attorney General, Division of Appeals and Opinions, The Capitol, Albany, New York 12224. You may reach the Records Appeals Officer at (518) 776-2009.

Sincerely,



Bruce D. Feldman
Assistant Attorney General

Attachment

Meg Levine

From: Stamm, Monica (JCOPE) <Monica.Stamm@jcope.ny.gov>
Sent: Tuesday, August 19, 2014 10:34 AM
To: Meg Levine
Subject: Trump v. JCOPE, No 4134-14 (Supt. Ct. Albany)

Meg,

In light of our discussions, JCOPE is authorized to retain outside counsel or represent itself in the above-referenced litigation. If JCOPE decides to retain outside counsel, we will contact the Office of the State Comptroller directly for approval as required. If you need additional information, please let me know.

Thanks
Monica

Monica J. Stamm
Chief of Staff and Deputy Counsel
Joint Commission on Public Ethics

NYC Direct: (212) 480-6787
Albany Office: (518) 474-4580
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