



May 6, 2021

Via Email: elena@judgewatch.org

Elena Sassower
Center for Judicial Accountability, Inc.
P.O. Box 8101
White Plains, New York 10602

FOIL Request: #3422

Dear Elena Sassower:

The Executive Chamber acknowledges receipt of your FOIL request dated April 29, 2021, seeking:

Reference is made to the Delgado v. New York State citizen-taxpayer action (Albany County #907537-18), wherein, before Albany County Supreme Court Justice Christina Ryba, Assembly Speaker Heastie, represented by the law firm of Holwell Shuster & Goldberg LLP, sought and was granted amicus curiae status.

At the Appellate Division, Third Department (#529556), Assembly Speaker Heastie, represented by that same law firm, sought and was granted amicus curiae status. Additionally, Governor Cuomo, represented by the law firm Orrick, Herrington & Sutcliffe LLP, sought and was granted amicus curiae status, stating, by a September 14, 2020 affirmation of James McGuire, Esq. (at ¶4): “Holwell Shuster & Goldberg’s fees for the preparation and submissions of this brief will be paid with state funds”. Also, Senate Majority Leader Stewart-Cousins, represented by the law firm Cuti Hecker Wang LLP, sought and was granted amicus curiae status, stating, by a September 14, 2020 affirmation of Eric Hecker, Esq. (¶7): “my firm’s fees for the preparation and submissions of this brief will be paid with state funds”.

Pursuant to Public Officers Law Article VI (FOIL), Senate Rule __ (“Freedom of Information”), and Assembly Rule VIII (“Public Access to Records”), this is to request all publicly-available records pertaining to:

(1) the determination(s), if any, by Attorney General James that the legal interests of the Assembly Speaker, Governor, and Senate Majority Leader could not be adequately protected and represented by her;

(2) Attorney General James' certification(s), if any, that it was appropriate for the Assembly Speaker, Governor, and Senate Majority Leader to each retain outside counsel to appear as amicus curiae;

(3) the process, if any, used by the Assembly Speaker, Governor, and Senate Majority Leader to select these law firms to represent them for amicus curiae purposes;

(4) the contracts retaining these law firm;

(5) the Attorney General's approvals, if any, of the contracts;

(6) the Comptroller's approvals of the contracts;

(7) payments made to the law firms pursuant to the contracts.

We are conducting a search for records that respond to your request and will review them for applicable exemptions under FOIL. We will provide you with a status update on or before June 3, 2021.

If any documents are located that respond to your request, you will be charged \$.25 per page for photocopies. If the response to your request will be provided in another media, we will notify you of any charges.

Very truly yours,



Jaclyn Clemmer
FOIL Counsel &
Records Access Officer