



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES  
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL

October 21, 2022

Caitlin Heim, Esq.  
Assistant Counsel  
Office of State Comptroller  
110 State Street  
Albany, New York 12236

**Re: Public Officers Law §17**  
**Lavine v. State of New York, et al., (for Governor Kathy Hochul)**  
**Sup. Ct., Onondaga County, Index No. 7623/2022**

Dear Ms. Heim:

Pursuant to Public Officers Law Section 17(2)(b), this office has reviewed the presently available facts and circumstances relating to the above matter. Based on this review, we have determined for the purposes of representation only, and without any determination as to the ultimate merits, that representation by the Attorney General of defendant **Governor Kathy Hochul**, would be inappropriate. The defendant was employed by the State of New York at the time in question.

I, therefore, certify that defendant **Governor Kathy Hochul** is entitled to representation by private counsel, in accordance with the provisions of Section 17 of the Public Officers Law.

Very truly yours,

*John V. Cremo*

JOHN V. CREMO  
Deputy Attorney General

cc: Jill Faber, Deputy Attorney General  
Aimee Cowan, Assistant Attorney General  
Tim Mulvey, Assistant Attorney General  
Ed Thompson, Assistant Attorney General in Charge



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES  
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL

November 9, 2022

Caitlin Heim, Esq.  
Assistant Counsel  
Office of State Comptroller  
110 State Street  
Albany, New York 12236

**Re: Public Officers Law §17 – Amended Letter  
Lavine v. State of New York, et al., (for Heastie, Ortt, Stewart-Cousins, Barclay)  
Sup. Ct., Onondaga County, Index No. 7623/2022**

Dear Ms. Heim:

Pursuant to Public Officers Law Section 17(2)(b), this office has reviewed the presently available facts and circumstances relating to the above matter. Based on this review, we have determined for the purposes of representation only, and without any determination as to the ultimate merits, that representation by the Attorney General of defendants **Assembly Speaker Carl Heastie; Senate Minority Leader, Robert Ortt; Senate Majority Leader, Andrea Stewart-Cousins; and Assembly Minority Leader, William Barclay**, would be inappropriate. The defendants were employed by the State of New York at the time in question.

I, therefore, certify that defendants **Assembly Speaker, Carl Heastie; Senate Minority Leader, Robert Ortt; Senate Majority Leader, Andrea Stewart-Cousins; and Assembly Minority Leader, William Barclay** are entitled to be **jointly** represented by separate private counsel, in accordance with the provisions of Section 17 of the Public Officers Law, in the following groups:

**Assembly Speaker, Carl Heastie** to be represented by the separate private counsel.

**Senate Majority Leader, Andrea Stewart-Cousins** to be represented by the separate private counsel.

**Senate Minority Leader, Robert Ortt and Assembly Minority Leader, William Barclay** are to be represented by the same private counsel.

Very truly yours,

*John V. Cremo*  
JOHN V. CREMO  
Deputy Attorney General

cc: Jill Faber, Deputy Attorney General  
Tim Mulvey, Assistant Attorney General